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Administrative Structures and the Implementation of development plans
by Nigel Heseltine

Local Administration System in the United Arab Republic
by Ibrahim Mohammed Osman

The Role of the Block Development Officer — Promise and Performance
by G. Ram Reddy

BOOK REVIEWS
by Sir Kenneth O'Connor, John Ingham Professor Allot, S. S. Khera

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Volume VI/Number 2/April 1967

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Editor's Notes

It cannot be repeated too often that the success of national development plans depends on the administrative capacity available for their implementation. As Mr. Nigel Heseltine stresses in this issue, participation of the population is the key to development and the need to ensure that the administrative structure is geared to regional development and productivity is essential if development is to be a reality to the mass of the population. Writing with the unusual and invaluable experience of recent development planning both in franco-phone Madagasgar and in anglo-phone Zambia, Mr. Heseltine emphasises that only certain major projects can be completely controlled from the centre and that "over the whole field of development the greater part must be controlled regionally". Leaders and planners in many newly independent countries will find much of real value in this cogently argued contribution.

Relevant to the theme of improving administration at local level are the articles on local administration in the United Arab Republic, by Mr. Osman, and on the Block Development Officer in India, by Mr. Ram Reddy. In each case it is interesting to note how a new system of local government, modified to meet development needs, has incorporated community development organisations. In Egypt after the Revolution, the rural social centres and "combined units" moved from the ministry of social affairs to that of local administration and became the basis upon which to build up a new structure of local government under the Local Administration Law of 1960. In India, following independence, there evolved out of the former community development movement, a new concept of local government, *Panchayati Raj* which has since been introduced throughout the Union by a series of *Panchayat* Acts passed by state governments.

Mr. Osman explains the political inspiration for the changes now firmly established in the U.A.R., and describes the new three-tier system of local administration – its structure and functions, emphasising in conclusion how the success of a local government in the final analysis depends on the goodwill of the people it is created to serve. The subject of Mr. Reddy's article is the block development officer who has the all-important role of chief executive to the *Samiti* which is the principal effective unit of Indian local government. A clear picture is provided of the difficulties this officer faces in the new world of democracy, and of the vital need to obtain, train and retain the right man for the job; if dedicated long term service is to be expected from him he must be afforded security, adequate status and permanence in return. The desperate need to increase agricultural productivity in India is a matter of world concern and Mr. Reddy draws urgent attention to the priority need for state governments to equip their local authorities and staffs (headed by the B.D.O's) with adequate resources with which to do their job – the most important, today surely the all-important one, being the furtherance of agricultural production.

In contrast to the entirely new structures in Egypt and India, but with the

same common purpose of achieving active popular participation in rural local government and in development, radical reforms to the existing machinery of rural administration have been introduced in Tanganyika (the mainland of Tanzania) since independence at the end of 1961. The abolition of chiefs as local government functionaries and their replacement by local government executives (albeit sometimes former Chiefs), the replacement of civil service district administrators by political Commissioners (albeit occasionally former chiefs and sometimes erstwhile permanent civil servants), in particular created great efficiency problems for rural local authorities with their lack of experienced or expert staff and many of whose best officers had, in the immediate post-independence period, departed for more secure and lucrative employment with central government and elsewhere.

In a detailed study Mr. Stanley Dryden provides a valuable account of what has taken place together with a critical assessment. In this issue we publish the first part of his study covering the period 1961 to 1963.

We also publish a short article on politicians and administrators by Mr. James O'Connell. While he writes in general terms, the background to his thinking is West African, but the theme is common to all the newly independent countries of Africa. Many will agree with a concluding comment that "political leadership without administrative technical expertise is power in a vacuum. But administration without political leadership is only tidiness and stagnation" – but whether one agrees or not, it cannot be gainsaid that it is intolerable if the national interest is subordinated to any petty differences between political and executive leaders. They have got to work co-operatively together, each in his own sphere, so that the government machine can turn effectively to make development real to the people of their country.

Cambridge Conference

The next Cambridge Conference, sponsored by the University Overseas Studies Committee, has been deferred until Easter 1968 when it will be held again at Jesus College, from 24th March to 6th April. The subject for discussion will be chosen shortly.

Administrative Structures and the Implementation of Development Plans

By NIGEL HESELTINE

Mr. Heseltine is Director of National Planning, Government of the Republic of Zambia. He was formerly Development Adviser to the President of the Republic of Madagascar.

THE purpose of this paper is to examine the role of administrative structures at the regional level in the execution of development programmes. The writer, having worked in administrations in Africa of both French and British inspiration, will attempt to compare the functions of administrative structures as they have been set up in both an independent francophone and anglophone country, Madagascar and Zambia. It is stressed that the purpose of this paper is strictly analytic and, therefore, no value-judgements should be looked for in comparing these administrations of different origins.

The role of administration in economic development has seldom been given detailed attention by economists beyond general statements that a stable government and an efficient administration are an essential foundation for economic development. Far more attention has been given to the availability of capital or the role of managerial and technical personnel. It is, however, generally accepted that the efficiency of the administrative framework can determine whether or not economic development takes place.[1] The quality of the administration will determine the capacity of the economy to utilise capital and skilled manpower.

This is immediately evident in the failure of many development plans to have the required impact on the societies they were designed to change. Many plans have been drawn up by highly qualified, mainly expatriate, teams of specialists, of which the implementation phase is almost negligible. These development plans were drawn up on a sound theoretical basis, but remained quite unrelated to the political and social realities for the country for which they were designed.

In the Peoples' Democracies the role of administration is accepted as paramount in the formulation and implementation of development plans. The role of government in the western democracies has been accepted more gradually in the post Keynes era, and planning is still regarded as an indicative or permissive process. The situation in a developing country is that there is virtually no alternative to a fairly vigorous centrally-conceived development plan. The economies of these countries are usually characterised by:

(*a*) a large mainly unproductive rural sector;
(*b*) a weak indigenous private sector;
(*c*) a strong foreign-based private sector covering extractive or distributing industries.

[1] See Lewis, W. Arthur. *The Theory of Economic Development* (1955).

It is held by many economists that the structural weaknesses of the developing countries must be attacked if their development plans are to have a real impact.[2] Such plans must, therefore, in the opinion of many economists, be primarily structural in their approach.

The term 'structure' applied to a developing economy refers to matters such as the transport network, the educational system, or the marketing and distribution system for, say, agricultural products. These may not be adapted for the new needs of a developing country, especially where they evolved under colonial rule to fulfil needs of the metropolitan country for the supply of primary products, or of administrative staff of certain grades. Thus transport networks often converge on export ports, but do not favour the development of inter-regional trade, while educational systems did not foresee the local training of technical staff on the scale now required after independence.

A major weakness of many development plans is that they have not attacked these inherited structures to secure fairly rapid modification in line with the new needs of an independent country. This in part been due to an inherited treasury approach to development planning, whereby the so-called plans drawn up for many overseas territories since 1946 were in fact public expenditure programmes, and administered as such by the Financial Secretary or his successor, the Minister of Finance. There is an important distinction between a public expenditure programme and an economic development plan. The latter should be based on an analysis of the economy. Such an analysis will reveal bottlenecks in, for example, transport networks, manpower needs, or marketing systems, which are the type of structural weakness referred to above. The plan will then work out projects to deal with these weaknesses, but ensure at the same time that such projects are inter-related. The complete correlation of one project to another is another distinction between economic development plans and public expenditure programmes. A development plan conceives its projects in the framework of a model, that is a picture of what the economy will look like, in terms of national income, productivity and employment, when the plan is executed. Thus projects are related strictly to resources, for example, industries are planned in relation to manpower, raw materials, energy-supplies, market-demand, and transport availability. A convenient method of ensuring such correlation now increasingly used by economists but not readily comprehensible to the layman, is the Input-output Table. Thus the Zambian First National Development Plan contains an input-output table for the economy in 1965, that is the starting point, and another such table for the economy in 1970, showing how the economy will have evolved as a result of the execution of the plan.

The public expenditure programme is a list of projects, usually devised by ministries or services in the light of their own experience, and subjected to criteria of commonsense and experience by the financial (or Treasury) authorities. Clearly this might work in the simpler economic context of overseas territories in the immediate post-war period, but is no longer

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[2] See Higgins, Benjamin. *Economic Development* (1955).
Balogh, Thomas. *Unequal Partners* (1962).
Cairncross, A. K. The Contribution of Foreign and Indigenous Capital to Economic Development: *Int. Journ. Agr. Aft.* (1962).

sufficient now that national economies must be created following political independence.

The failure to relate economic development plans to the new political and administrative structures created at independence, has been a major cause for the failure to implement development plans. Thus the centrally-conceived Development Plan has not been supported by a detailed decentralisation of execution which would translate sectoral projects into activities geographically located within an administrative sub-division.

Experience is now being accumulated on the performance of many development plans drawn up over the past ten years.[3] It is not the purpose of this paper to examine the technical faults but rather to emphasise the absence of effective analysis of administrative structures and their role in the execution of development plans. Leaving aside technical faults of conception and evaluation we may examine more closely the channels and authority by which decisions approved by the central governments are translated into action at the field level. Many development plans contain no provision for the machinery of execution, but are statements of intention in certain economic spheres. The so-called development plans drawn up for their overseas territories by France and the United Kingdom from 1946 onwards were, in fact, public expenditure programmes composed mainly of block votes for broad fields of activity. The amount of project-definition was limited by the general absence of resource data, thus many projects could not be properly designed, or based on a firm assessment of their feasibility. Both the statistical basis for development plans drawn up since 1960 and the project-definition and costing is still weak and much remains of the old public expenditure approach. Many plans are still not based on any rigorous analysis of the economy to which they refer, since the statistical basis for such analysis is generally lacking.

Neither public expenditure programmes, nor the more recent development plans contain any built-in mechanism for execution. At best projects are defined and geographically located, and their execution becomes primarily the responsibility of a particular ministry. Examples of the lack of provision for execution are particularly evident in rural development. Improved crop production and animal husbandry requires, in the first place, capital investment. This appears in the form of capital allocations under the agricultural sector of the development plan. But to achieve results in the form of improved practices and increased yields, such investment requires the establishment of:

(i) well-defined viable units;
(ii) competent management;
(iii) assured markets.

If these structures are not created, then the increased factors of production, that is the equipment in the form of land and water development, tools and machinery, roads, and training provided for in the capital investment programme, may be generally ineffective when we look for results in terms of higher output, meaning increased output per man, per unit of land, per day. The usual results of such an investment programme unaccom-

[3] *Development Plans: Appraisal of Targets and Progress in Developing Countries*: United Nations (1965).
Planning for Economic Development: Vol. II. Studies of National Planning Experience: United Nations (1965).

panied by the introduction of the structures referred to above, are characterized by:

(*a*) high capital cost per family per unit area;

(*b*) a small percentage of the total rural population affected.

Thus the planning approach which leaves the structures of services unchanged and expects to use inherited administrative structures, as a valid channel for capital investment, is usually ineffective.[4]

It may be said that the public expenditure approach represented a type of planning from the top downwards for which no response from the population was allowed for. However, the main problem of planning in developing countries is not so much devising projects which would appear to improve the standard of living and the basic equipment of the country, but of raising productivity. Levels of productivity are not automatically linked in the minds of the population with levels of living. Increased levels of living, imply increased levels of consumption, and it is not at once evident that increased consumption can only be sustained if there is, at the same time, increased production. The problem of productivity in developing countries is particularly acute because of the high proportion of the population represented by the semi-subsistence rural sector. This represents usually between 70 per cent. and 85 per cent. of the total population. The existence of this rural mass, largely outside the monetary exchange economy, represents the biggest single problem of development planning at the present day.

The productivity of the rural mass is low, and therefore their cash income is low. By productivity we mean the output per man, per unit of land per day. Thus the purchasing power of the rural population, is often negligible measured by modern industrial market requirements. We know that modern industries to be efficient, usually have to be in fairly large units with a large output. This is termed by economists 'economy of scale'. Clearly where a rural population of say four million has only the purchasing-power of one European parish, which may quite well be the case, the potential internal market for goods and services is very limited and does not justify the establishment of industries which are so necessary for a country's development. The market is there in the sense that the population certainly needs the products of industry, but it is not there in the economic sense, because the population has not the monetary purchasing power to buy the products of industry. It does not have this purchasing power because its cash income is low, and the income is low, because its productivity is low.

To complete this description of a paradox of unfulfilled needs, it should be pointed out that this unused reserve of manpower represents an important potential capital asset. For example a population of 6,000,000 may provide capital at a level of approximately £4,000,000 if 20 per cent. of the population, representing able-bodied males, give ten days labour each year at a basic wage of 6s. 6d., per day.

The task of development is seen by the population as providing social and physical infrastructure in the sense of improved health and education facilities, roads, transport, equipment and hydro-electric schemes and buildings. However, the provision of such infrastructure leaves levels of productivity much as before so that the transformation of the economy is

[4] See Heseltine, Nigel. Investment in Agriculture: *World Crops* (Dec. 1965–Sept. 1966).

limited to these external elements, and the rural masses remain largely outside the better-equipped economy, whose benefits become available only to a privileged minority.[5]

This analysis is strictly relevant to the role of the administration in implementation of development plans. The administration at the territorial level is directly in contact with the population. It must be assumed, therefore, that this contact will be the principal means by which Government can assure the participation of the rural masses in its development. The degree and quality of such participation will depend on the social and administrative structures available. In the former colonies these were evolved in the first instance for purposes of administration and the maintenance of law and order and not for development. It is necessary, therefore, to examine them to see how development activities can be built in or what modifications are necessary to adapt these structures.

Development carried out by the colonial territorial administration was essentially paternalistic in the sense of issuing instructions and of direct employment. This was particularly evident in the often forcible introduction of cash-crops by colonial administrators and the insistence on food production targets. In independent countries the role of the territorial administration has been essentially modified by the evolution of parallel political bodies. This has often resulted in a lack of communication between the new political bodies and the administration and a failure to realize that the civil service is, in fact an organ of the Government which the political bodies represent. The first task would appear, therefore, to provide for close association in the field of development between political representatives and territorial administration. Failure to do this may result in contradictory statements of policy by political leaders, or in development projects being encouraged by the administration which are not politically acceptable.

The second problem is to ensure constant communication between the population and the territorial administration. This communication was often more direct in the days of the paternalistic District Commissioner who spent the greater part of his time on tour in the rural areas on foot or on horseback. Modern communications have in fact lessened the degree of communication between the population and the administrator who travels by car along the road. The problem is, therefore, now one of relating plans devised from above to a response which it is hoped to obtain from below.

It has been observed by some economists that the response of a population to development planning will be determined very largely by what aspects of that plan are visible to them at their own level.[6] In relation to such response there are two main approaches to development. The first which we may call the growth-propulsive approach which aims at maximum investment in sectors which are already prosperous in the hope that they will produce a multiplier effect in the backward areas. The second approach which pays attention to basic political realities within the country aims at spreading the effects of development planning as widely as possible. The second approach which should ensure the maximum response may nullify this by spreading development so thinly as to be almost imperceptible.

There is a basic contradiction in the expression 'balanced development'.

[5] See Réné Dumont: *False Start in Africa* (1966).
[6] See Benjamin Higgins, op. cit.

Development, by definition, is the result of tension, and will not normally occur in a state of equilibrium. However, in the development process, both approaches are necessary. The economy will require large single projects such as main roads, hydro-electric schemes, fertiliser factories, universities etc., but also a great effort must be made to translate the credits allocated to ministries closely in touch with the population into a large number of small easily indentifiable projects.

To quote one example it is by no means self evident how funds available to a Ministry of Agriculture are, in fact, to be translated into agricultural development. Such development implies increased supplies in terms of equipment and credit, and improved services in the sense of extension, training and research. But the rural population is both numerous and scattered, whereas members of extension services are usually very few. A simple calculation will often show that the number of field agents available would only enable them to contact individual farm families once every five to ten years. Greater economy in scarce manpower could be achieved in grouping the population around specific projects or activities, and this again requires a large number of small projects rather than a few spectacular ones.

The ideal arrangement would be that rural associations should determine projects and execute them with the help of technical services. This, in fact, is being encouraged in both the former British and French territories in Africa. Community development and self-help projects have been attempted in anglo-phone African countries, while in the former French territories, '*travaux au ras du sol*' have similar aims, but are administered rather differently. The type of project, which is commonly presented by local bodies under both types of programme is nearly always related to infrastructure or improved services. It is rare, in the first instance, that rural associations propose projects for productive activities. The list usually extends to new roads, schools, hospitals and other social amenities. However, the fact that local bodies put up projects represents a measure of decentralisation of development, and is a move towards securing the participation of the rural population.

A distinction must be made between the local government bodies such as rural councils, established in the former British countries of Africa and the rural communes (*Communes Rurales*) in the former French territories of Africa. The difference is mainly one of administrative control. In the former French countries the rural commune is elective and elects a mayor. The mayor is then approved by the Minister of the Interior and becomes a salaried official with well-defined administrative functions. He can be removed by the Minister and is subject to strict administrative, and in particular, financial control in his handling of public funds. In addition the rural commune is placed under the tutelage of the sub-prefect (*sous-préfet*) at the level of the former district commissioner in the British territories. There is, thus, not only a clear line of authority but a direct financial and administrative control which facilitates considerably the execution of the small-scale development projects.

In the former British territories the line of authority is by no means clear. In rural districts there may exist in effect four authorities. These are the remnants of provincial and district government, the senior police officer representing law and order, local chiefs and the rural councils. In a former

French territory the hierarchy is clear and runs from prefect to sub-prefect to rural mayor. The gendarmerie is under separate command but expressly at the disposal of the prefect where necessary. It will be seen that the French territories have followed the British iniative in separating law and order functions from the former provincial and district Government. This was certainly a wise decision and has left district authorities much freer in the field of development.

The problem of initiating what is a new activity – development – amongst the rural population, requires a coherent line of authority and also continuity in administration. It is unreasonable to blame rural associations for faulty accounting and mis-use of public funds when they have no experience in such accounting, and where there is no clear provision for financial control. The relation of territorial authority to development must ensure that:

(i) all projects proposed by rural associations fit into the general framework of the National Development Plan;

(ii) that technical assistance is available to the local bodies carrying out projects;

(iii) correct accounting procedures and proper financial control is carried out.

The small-scale development projects carried out in Madagascar since 1963 under the programme of '*travaux au ras du sol*' cannot yet be compared with the projects proposed by the rural councils in Zambia in 1966, since these are only now entering into their first year of execution. It is, however, interesting to present comparisions in two countries having little or no direct contact. The programmes themselves are very similar in the type of project proposed. However, there is a marked orientation of the Madagascar projects towards productive investment, largely as a result of the "tutelage" of the district authorities. Irrigated rice culture is wide-spread in Madagascar and life of the villages is organised around irrigation practices which lend themselves to small scale projects in the form of dams and canals. The very considerable deforestation which has occurred over large areas of Madagascar has encouraged the setting up of fuel-wood plantations of eucalyptus adjacent to villages over the whole country.

The first lists of Zambian rural council projects as presented in 1966 consisted almost entirely of items of infrastructure or social amenities, although efforts are now being made to orientate them towards productive investment. The success of such projects will depend greatly on the availability of adequate technical advice and assistance to rural councils.

In Madagascar the execution of small projects is strictly under the control of the Regional Development Committee (*Comité Régional du Plan et du Developpement*) and of the Ministry of Interior. In Zambia the control element is much less clear and at present consists of general supervision on the part of the Provincial Development Committee on which the Provincial Local Government Officer of the Ministry of Local Government and Housing sits. In execution the same problems of technical advice, accounting and financial control will occur in Zambia, but the clear administrative structure which ensures these in Madagascar is lacking in Zambia.

It would appear that when the provincial and district government was reformed in Zambia in 1963 from the old provincial administration no clear lines of authority were devised by which the new local authorities could

serve for a number of years under a period of tutelage. In June 1966 instructions were given by Government whereby provincial and district government has a clear responsibility for co-ordinating economic development in the region. The relationship of the administration to the rural district councils will, however, present certain problems, owing to the absence of a clear line of administrative control. Thus, development funds are to be allowed by the Ministry of Local Government and Housing for the rural district councils but close co-ordination between these projects and the development projects of other ministries will only be secured if these are considered strictly as an integral part of the regional programme. Regional programmes have been drawn up for each of the eight provinces in the first National Development Plan 1966/70. In fact, the regionalisation of this plan represents an original feature in so far as English speaking countries in Africa are concerned. Some of the former French countries including Madagascar drew up regional plans when working out their national development plans, but in the case of Madagascar these were contained in a separate volume and were not published with the development plan. In the Zambian Development Plan the regional programmes have been carefully worked out so that there is a complete correlation and breakdown of the national plan into eight regional programmes, which are being published in the printed version of the Development Plan.[7] The Zambian plan, therefore, took an important step forward in securing regional programmes with which the population can identify themselves. Whereas there was some hesitation in Madagascar in issuing regional programmes and these, even in the form in which they received administrative distribution, were only outlines. In the Zambian plan every project in the plan is geographically located in one of the provinces. The regional approach to development planning, in particular the existence of co-ordinating committees at the regional administrative level in both Madagascar and Zambia, represents an important departure from previous practice whereby ministries or services carried out their own programmes under a very general supervision from the district commissioner. The new regional approach to co-ordinated development programmes is an exact counterpart, at the regional level, of the introduction of central planning at the national level.

The acceptance of central planning means in fact that development is accepted to be the business of government, and not of any ministry or ministries. Ministries' development programmes can thus only be considered, and executed as part of the overall development programme or plan of Government. This evolution forms part of the general orientation of governments towards control of their economies in the sense of promoting development, and avoiding marked instability such as inflation or unemployment. These are now accepted as major functions of government, so that its administrative functions are now considered as necessarily tending towards economic aims. This is a new departure, and has occurred in the so-called post-Keynes era, since 1946.

For the provincial development committee to function effectively as an instrument of execution of the development plan, it must be fully accepted that ministries delegate a part of their authority over their field staff to such

[7] The First National Development Plan 1966-67 came into being on 1st July and was published on 1st November, 1966.

a committee. This is necessary to ensure that provincial development committees can fully participate in the formulation of development projects, and that they can function effectively as reporting agents on the rate of execution of such projects after they are included in the development plan. The latter function will in general be the most important. While broad programmes in particular fields of work are drawn up by ministries, their physical location at ground level should be entrusted to local committees, preferably at the provincial or prefecture level, and only over-ridden if national interest demands. Where the location of such projects has been decided by local bodies, then the control of the execution of the project can effectively be entrusted to them. Thus the greater part of the meetings of local committees will normally be taken up by situation reports on development programmes and projects within their area of responsibility.

The Zambian First National Development Plan goes much further than the Madagascar Five Year Plan in its regional breakdown. Although the Madagascar plan included a section called *Plans Régionaux* these were issued as a separate volume and were not published. They indicated only broad sectors of activity within the prefecture, and did not give detailed statements of projects which could be easily controlled by the regional development committee. The Zambian plan however, contains a complete section, Regional Programmes, which is published as an integral part of the development plan. These regional programmes consist of detailed lists of projects, so that every project occurring in the national plan, is physically located down to the provincial level. Its final location at district level is left in most cases, for the provincial development committee to decide.

The success of this regionalization depends largely on loyal co-operation by ministries, in that they accept that their field officers can be guided in certain respects by the provincial committee. There will be, occasionally, overriding technical considerations which a ministry cannot abdicate, but this leaves a wide field for fruitful co-operation between field officers, provincial and district administration and local authorities.

The control of the execution of development plans is an even more important function of a central planning office than the drawing up of such a plan. Plans must generally be flexible in order to overcome difficulties inherent in the process of their formulation, which include:—

(*a*) the inherited system of capital budgeting

(*b*) the division of budgets into capital and recurrent expenditure

(*c*) the lack of adequate resource data.

In the Zambian plan flexibility is secured by a system of annual reviews whereby the plan may be modified, and these modifications expressed in the annual capital budget. Thus, although capital investment is approved in the four year period specific authorisation for expenditure will be given for annual slices of the development plan after this review.

To provide reliable data for such reviews close control of both financial and physical execution will be necessary. Financial reporting will be secured centrally and considerable use will be made of the new ICT 1900 computer. A serial number of thirteen digits is being attached to each project as these appear in the Plan and considerably improved reporting on rates of expenditure is expected to result.

Physical execution can be controlled centrally for certain major projects,

but over the whole field of development the greater part must be controlled regionally. Here the provincial development committees will perform a key role in providing the material for periodic reports which it is hoped to prepare quarterly in preparation of the annual review to be carried out during the preparation of the annual capital estimates. The Zambia experience will thus carry the control of execution considerably further than has been the case in Madagascar. Here some tentative approaches were made at irregular intervals to secure progress reports from provincial development committees. However the process was not (1965) integrated in the preparation of the annual capital budget. This was in part due to the fact that a high proportion of funds for development were located to specific projects from sources outside Madagascar (French bilateral-FAC, and Common Market Development Fund – FED). Zambia is on the contrary financing a high proportion of its development from domestic resources.

It will be seen, therefore, that the territorial administration must play a key role in both the execution of development plans and in the control of such execution, which is necessary if government investment is to have full effect. It is felt that the present experiences in two rather widely separate countries such as Zambia and Madagascar, show that there is a growing feeling of the usefulness and importance of local bodies in development planning and execution. However, it is suggested that conflicts may arise unless clear lines of authority are established. Such authority should provide for a period of tutelage over elected local authorities, and should in particular provide simple but effective accounting and financial control procedures. Lastly it is emphasised that many centrally-conceived development plans have failed to be effectively executed, because the details of the regional programme and its relation to administration and local authorities were neglected by the planners. Participation of the population is known to be the key to development, and this will depend on the orientation of district administation and local authorities towards development and productivity. This re-orientation, which is already occurring at central government level, must be fully reflected at the field level if development is to become a reality for the mass of the population.

Local Administration System[1] in the United Arab Republic

By IBRAHIM MOHAMMED OSMAN

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Introduction

THE United Arab Republic has introduced a new system of local administration. In doing so we have given careful study to the systems of other countries but we have not followed any other particular model. Rather have we devised our own new system so as to suit best our own community and our own social conditions. Having evolved our own methods we have been flexible in allowing ourselves to make changes in the light of experience gained so as to provide for the conditions, habits, traditions and urgent needs in the different parts of the Republic. I think this is an experience in which may be found something new, different and of considerable general interest.

In the United Arab Republic we have not adopted our local administrative system just as a means for passing more powers and functions from the central government to local authorities, nor just to facilitate the task of central government. Nor have we adopted it as a means for creating new posts so as to avoid the problem of unemployment. No, we have really tried this system as a sound way of achieving the revolutionary transition towards democracy and socialism as being the joint and complementary means of maintaining an efficient and just regime.

History

It may be convenient here to make a brief mention of the historical background to local government developments in the Republic.

In 1820 Egypt had four categories of local unit which were *Mudiriyyah* or Province, *Markaz* or District, *Qism* or sub-district and the "village". The heads of these units used to be centrally appointed. The administration system in these localities continued to be highly centralized up to 1952.

Rural Social Centres

Between 1941 and 1954, about 170 rural social centres were established in villages to serve rural communities in the economic, social, cultural and health fields. These units were to function through the assistance and active participation of the villagers. The project was aimed at developing something similar to a local government formed by the people themselves to solve their own problems and improve their conditions of living. It was also hoped that this might arouse interest in self-government and democracy at the local

[1] For the purpose of this article the unit of local government administered by a Governor, whether urban or rural, is described as a Region. Ed.

level. The centre staff consisted of an agricultural and social welfare worker, a physician, a health and social nurse, a laboratory assistant and three midwives. The method of operation provided for the officials of the centre to work with the people of the village through bodies elected by village taxpayers. Likewise, rural reform associations were established in villages that did not have rural social centres. They were private organizations but they were aided by the government through subsidies and technical advice.

Combined Units

In 1953, the Council for public services was formed to develop ways and means to stimulate rural development. Out of their deliberations and research came the formation of the Combined Units of which about 250 were established by 1960 servicing some four million people living in 1020 villages, with an additional hundred planned for the next seven year period. These were designed as a means of achieving co-ordinated decentralization of technical ministries for the development of rural areas. The whole rural area of Egypt was divided into zones of about 15,000 inhabitants each, and the plan was for a rural combined unit to be established for each zone. A total of 868 was needed to cover the entire nation. A total of 262 other areas was covered by rural social centres or health units, and these at a later date were to operate as combined units.

The staff of these units, when completed, was to consist of an agricultural social worker, an assistant agronomist, two or three agricultural workers, a physician, a chief nurse, an assistant nurse, six medical workers of both sexes, and a school-master.

The administration of the combined units was transferred from the Ministry of Social Affairs to the Ministry of Local Administration. All personnel in the combined units are considered as civil servants of the Ministry of Local Government.

Devolution of Functions

After the Revolution, some efforts were made to devolve some of the central ministerial functions to the local units. Carrying out the ideals relating to local government set forth in the new constitution, the law of local administration was issued on 28th March, 1960. The overall objective was to set up a 'democratic socialist and co-operative community'. The adoption of a local government system was accepted as one of the means of attaining this goal.

In view of the rapidly increasing population, the local government units were needed to take an active part and share in the administrative responsibilities of the central government. A new reorganization of the administration units had been developed and was brought into being.

This new law wisely provided for its gradual application throughout the Republic.

Its introduction was commenced in June 1960. Regional councils were immediately constituted, replacing the old ones, but not all towns and villages, throughout the country could have their local councils at once.

Therefore, the Law has fixed a maximum period of four years for its total application, although in view of the pace at which it is being carried out, it is expected that this transitional period will be much shortened. In the mean-

time, and until the complete set-up of local councils in all towns and villages is complete, the Law has provided for the supply of the requisite local services to towns and villages whose councils have not yet been constituted. This task was imposed during the transitional period on the regional Council, itself representative of the whole Region.

Legislative Articles

The trend of the policy of the central government, the parliament, and the State as a whole, is to strengthen the new local administration system which is expected to be the most important factor in achieving a balanced democratic socialist and co-operative community.

The Constitution issued in March, 1964, in its second part dealing with the 'Basic Constituents of Society', states in article 12 'The people control all the means of production, and direct their surplus in accordance with the development plan laid down by the State to increase the wealth and continuously to raise the standard of living'.

It is stated in article 167 'The organisations representing the administrative units are competent with regard to all that pertains to the units which they represent and participate in the implementation of the general plan of the State. They may establish and manage utilities as well as economic, social and health projects, as stipulated by the Law.'

This trend was also obvious when the national Charter was issued in June, 1962.

A strong relationship exists between the National Charter as presented by the President of the Republic and as proposed by the National Congress of Popular Powers, and local government. This relationship springs basically out of the fact that both the National Charter and the concept of local government share one common goal. They both aim at securing the right of the people to be governed democratically, contributing effectively towards national development and rendering public services to the people.

Chapter V of the National Charter is devoted to the analysis of ways and methods of realizing true democracy in the United Arab Republic, and contains the following declarations:

(1) 'True revolutionary action, therefore, would not be possible unless it possessed these two attributes: (*a*) popularity; (*b*) progressiveness.'

(2) 'The popular and political organizations based on free and direct election must truly and fairly represent the powers to be held by the majority of the population.'

(3) 'It follows then that the new constitution must ensure that its farmers and workmen will get half the seats in political and popular organizations at all levels . . . since they form the majority of the people.'

(4) 'The authority of the elected popular councils must always be consolidated and raised above the authority of the executive machinery of the State: for that is the natural order regulating the sovereignty of the people, and ensures that the people will always be the leader of national action.'

(5) 'Again, local government should gradually but resolutely transfer the authority of the State to the people, for they are in a better position to understand their own problems and find the proper solutions.'

(6) Finally, the sixth of the six principles of the Revolution: 'the establishment of a sound democratic system'.

In summary, it appears that following the principles enunciated in the National Charter, the Local Administration law should provide for the following;

(i) The supremacy of the local councils in legislating on functions which the local administration law assigns to them. In other words, their final decisions should not have to be approved by higher echelons, by the executive branch or by national ministries.

(ii) Local Councils should be composed of farmers and labourers at least to the extent of half their membership.

(iii) Government processes should be free as much as possible from administrative red-tape.

Highlights of the Local Administration System

The present system of local administration of the United Arab Republic is based on Law No. 124 and its amendments contained in Laws No. 151 of 1961, 54 of 1963 and 65 of 1964. These Laws are in the form of Presidential Decisions and supersede previous legislation relating to local Government and administration specifically that pertaining to the previous *Mudiriyyas* and to town councils.

The present system illustrates some modern trends in local government legislation enacted in such countries as Pakistan, Yugoslavia and the Sudan. Furthermore, it retains much of the French system which Egypt was the first to adopt in the Near East early in the 19th century; it has also some provisions that stem from English practice in their African colonies: however, the sum total is Egyptian in character and has two main objectives that have been emphasized by the present regime. These are decentralization and democracy, both of them however, somewhat restricted by present exigencies and the difficulties of transformation from the established patterns. The transfer of authority from the national ministries to the localities, the provision for necessary funds in the local budgets, and the transfer of personnel from the national agencies needed for local administration, was planned for gradual implementation, according to the 1961 amendment, within the maximum period of four years. As to the present time, most of the machinery has already been set up and is functioning according to law.

The Units of Local Administration

The United Arab Republic is divided into administrative districts, namely Regions, towns and villages, each of which is endowed with a jurisitic personality. These administration districts, it will be seen, have characteristics both of units of local administration of the national government and of units of local self-government. For example, the chief executives are appointed by national authorities and are mainly responsible to them, while the members of councils are partly elected, partly nominated and partly ex-officio. These councils, moreover, are given broad powers of legislation but are strictly controlled by national authority.

The extent of the boundaries of Regions is defined by presidential decision, that of towns by ministerial decision, and that of villages by decision of the governor. A Region may be confined to a single town and this is the case at

present in four cities; Cairo, Alexandria, Suez and Port Said. Here the regional council has also the jurisdiction of a town council. A town is represented by a town council, and a village or a group of adjacent villages by a village council.

A unique featue of the new law is that it provides for an annual Regional Congress made up of members of regional councils and the chairmen of town and village councils within the Region. While this Congress has no legislative or administrative powers, it is empowered to discuss problems of mutual interest and make recommendations to the Governor and to the competent national authorities. This institution, therefore, has the possibilities of becoming an effective sounding board for public opinion and of developing co-ordination of local activities in the Region, and their integration with national policy.

The Structure of Local Councils

The structure of our local councils has a distinctive feature, it combines three elements: elected members who form the majority, some nominated members and some ex-officio members.

(*a*) THE ELECTED MEMBERS

The Arab Socialist Union Committees (A.S.U.C.) exist, through popular election and universal suffrage in every village and every town, as well as in every Region. These committees, formed of members elected by their own community, are to fulfil a more effective role of popular participation in the activities of the decentralized agencies of the central government. They constitute the majority on the councils. As elected spokesmen for their community, they form the elective element in the structure of the local government councils. The term of their membership is four years.

(*b*) NOMINATED MEMBERS

It has been established by human experience everywhere that universal suffrage and popular elections do not necessarily bring forth the best and most competent elements in the community. Some able persons do not bother to confront the political arena; others are reluctant to parade their merits. In the local field, in particular, where there is a relative scarcity of technical competence, it is essential to get hold of such persons. In addition to the elective method for constituting local councils, a selective method must be devised. The law of local administration utilising the already established organization of the Arab Socialist Union, has provided this.

Of course, the active members of the Arab Socialist Union, to be selected, must have certain technical qualifications or a proficient knowledge of their locality. The Minister of Local Administration is given the right to select such members, whose number should not exceed two in the regional council, their term of membership is the same as for elected members.

(*c*) EX-OFFICIO MEMBERS

The Law has added a minority of technical experts, former officials of the decentralized agencies, as ex-officio members of the councils. This device was meant to supply the councils whose elected majority was not necessarily

endowed with the required technical qualifications with the needed expert advice. At the same time, since these ex-officio members are always in a minority, the views and aspirations of the community, expressed through the elected majority, are bound to prevail.

This three-fold combination of elected, nominated and ex-officio members, is the basic idea of the structural policy of our local councils.

The Three Categories of Local Councils

These units are the Region, the town and the village. There are twenty-four Regions in which the local administration system operates. They embrace 136 towns and 4,222 villages. Each unit has a defined jurisdiction. The regional council, the town council and the village council represent their respective areas.

The pattern of economic activity is the criterion by which distinction can be made between a town and a village. However, a village may become a town and be given town status if it develops as an industrial or commercial centre. As already mentioned Cairo, Alexandria, Suez and Port Said are the only four cities which are given regional status.

The Regional Council

Elected members of this council are chosen from amongst the members of Arab Socialist Union Committees. Each district in the Region is represented by four elected members which number may be raised to six in order to let the elected members of the council form a majority. The nominated members who should not exceed ten in number are chosen in their technical capacity. The selection is made by the Minister of Local Administration on the proposal of the Governor. The ex-officio members represent the ministries of agriculture, health, education, housing and public utilities, social affairs, supply, treasury, communications and interior.

This combination may be described as an attempt to integrate democracy, technocracy and national policy at the regional level.

The regional council exercises supervision over town and village councils, while the regional governor must ratify certain of their decisions. The regional council is also empowered to exercise administrative functions over towns and villages where local authorities are lax, impotent or do not exist. Here again the French system is in evidence.

The regional council is an 'all-purpose' council, the scope of its powers is as broad as the social and economic 'felt-need' of the area. Practically, however, the councils are restricted by budget limitations and central government approval. The powers are, moreover, generally expressed, and overlap those of the town and village councils, the powers of the latter being also 'all purpose'. This indicates the influence of English practice.

The Governor

The Governor is the most important official within his Region. He is appointed by and can be removed by Presidential Decision, and has the status of a deputy minister as to salary and other personnel matters, and of an under-secretary of state in the sphere of administration. He represents the executive authority of the State within his jurisdiction and is in administrative control of all government personnel in the Region, except judges.

He reports to the Minister of the Interior on matters of security and to the Minister of Local Administration in matters relating to local government. Other national ministers may delegate some of their powers to him, and he is in contact with them on the execution of their projects and activities – within the Region. He appoints all personnel within the Region who are not higher than the seventh grade, (the administrative scale in U.A.R. begins at the bottom with a ninth grade), while ministers must consult with him on questions of promotion and transfer. Besides this, he presides over the regional council, inspects the reports of town and village councils within his jurisdiction, and his approval is necessary for certain decisions they adopt. In short, the governor is both an agent of the State and the chief executive of the Region and its local units. In this he resembles the prefect of a French department who has, since the first half of the 19th century, been the model for provincial governors throughout the Near and Middle East.

The Town and Village Councils

Town and village councils are composed on the same principles as the regional councils. They have elected, nominated and ex-officio members and their chairmen are appointed by the central government but they do not have the same extensive administrative power as that given to the governor; for, while the powers of the town and village councils are general and broad in scope, they are restricted in actual practice by control and supervision from the regional council, the Governor and the national ministries and agencies interested in local administration. However, they prepare their own budgets and final accounts, control their own revenue collections, execute functions delegated to them by higher authority; they may assist public institutions within their jurisdiction.

The Town Council

The Arab Socialist Union Committee of every town includes thirty elected members. Out of this number twenty compose the elected majority of the town council. The twenty chosen are those who obtained most votes in the elections for membership in the A.S.U. committee of the town. In the case of equality of votes, other civic, cultural or technical qualifications are taken into consideration.

In addition to this elected majority, six ex-officio members are added. They represent the ministries of health, treasury, education, social affairs, housing and public utilities and interior.

Up to five nominated members are added. The nomination is made by the Minister of Local Administration, after due consultation, with the Governor.

The chairman of the town council is one of its members. He is appointed by the President of the Republic. The council elects its vice-chairman from amongst its elected members.

The Village Council

The village council either represents one village or a number of closely grouped villages. The number of its elected members should not exceed twelve. The A.S.U. Committee of each village, elected by all citizens, and which forms the elective element of the village council, is normally composed

of ten members; but, since the village council may represent more than one village, the number of its elective element may be increased to twelve.

Two nominated members may be added to the council by the same procedure as for a town council.

The ex-officio members are limited to six, the only difference from the town council procedure being that the Ministry of Agriculture is represented in place of the Treasury.

The chairman of the council is one of its members, appointed by the Minister of Local Administration, on the proposal of the A.S.U. and after consultation with the Governor. The term of the chairman's office is two years only, but can be extended.

The Number of Local Councils

There are now 24 regional councils, 134 town councils and 977 village councils. The number of council members in Regions totalled 1,361 comprising 825 elected, 184 nominated and 352 ex-officio.

The number of council members in towns totalled 3,792 with 2,510 elected, 429 nominated and 853 ex-officio.

The number of council members in villages totalled 18,402 of these 11,556 were elected, 1,068 nominated and 5,778 ex-officio.

A further 115 village councils are still required so as to cover all the rural areas, the objective being a total of 1,092.

Out of the numbers of all the council members mentioned above there are eighteen women including six elected, nine nominated and three ex-officio.

Functions of Local Councils

In that Law No. 124 and its amendments grant to all three units of local administration broad and inclusive powers, the problem of allocation of these powers between the three units so as to avoid duplication is an administrative matter of supreme importance, and so by executive regulations specific allocations of most of the major functions of local government have been made.

The functions of local councils are the following:

(1) *Education*

Local councils are authorized to establish, equip and administer schools according to three levels:

(*a*) REGIONAL COUNCILS: secondary schools (general and technical), teacher training colleges and schools in towns or villages for which no councils have yet been established.

(*b*) TOWN COUNCILS: primary schools and preparatory schools (general and technical).

(*c*) VILLAGE COUNCILS: primary schools.

(2) *Public Health*

Local councils are authorized to look after the health and medical services. They may establish, equip and administer all medical units within their areas according to the following levels:

(*a*) REGIONAL COUNCILS: general hospitals, opthalmic, fever and chest hospitals, units for hygiene instruction and medical commissions and stores.

(*b*) TOWN COUNCILS: town hospitals, welfare and maternity centres, school medical units and health offices.

(*c*) VILLAGE COUNCILS: village hospitals, dispensaries and endemic diseases units.

(3) *Public Utilities and Housing*

(*a*) REGIONAL COUNCILS: all studies related to local water supplies, gas and electricity schemes, sewage, selection of sites and improvements to, extensions and renewals of, various public amenity networks.

(*b*) TOWN AND VILLAGE COUNCILS: the following services to the extent their respective resources can permit – works for water supply, gas and electricity, road construction and maintenance, public parks, sewage, general sanitation, slaughter-houses, markets, cemeteries, the running of local transport, administration of summer and winter resorts, control of industrial establishments and business firms and implementing housing schemes in accordance with the general housing plan.

(4) *Labour*

(*a*) The REGIONAL COUNCILS supervise labour syndicates and provide guidance to them in conformity with State policy.

(*b*) The TOWN and VILLAGE COUNCILS supervise labour employment offices within their areas.

(5) *Agriculture*

The law has enumerated various agricultural activities without specifying the councils to which they may be entrusted. The activities cover the following fields: Agricultural extension, reporting on agricultural conditions, collection of agricultural statistics, pest control, local agricultural quarantine, supervision of local nurseries, supervision of local seed trade, combat of animal and poultry diseases, establishment of veterinary laboratories, clinics and hospitals, supervision of slaughter-houses and establishment of agricultural exhibitions and museums.

(6) *Food Supply*

Although food supplies have to be organized on a national scale, yet the law authorizes the regional councils to ensure a fair distribution of food supplies within the Regions.

(7) *Communications* (See also 3 (b))

REGIONAL COUNCILS

(*a*) Roads and Bridges: The council is responsible for the construction and maintenance of regional roads linking towns and villages with highways, as well as the construction and maintenance of bridges on these roads.

(*b*) River Transport: The council operates ferries and submits recommendations to the Ministry of Communications concerning river ports.

(*c*) Postal Services: The council is responsible for building and equipping of subsidiary postal bureaux.

(8) *Co-operatives*

All local councils are responsible for the encouragement of the co-operative movement.

(9) *Economic Development*

All local councils are authorised to undertake the following activities:

(*a*) Carrying out the part assigned to them in the Natonal Development Plan.
(*b*) Promotion of local industries.
(*c*) Supervision of cotton and grain markets as well as storehouses.
(*d*) Organizing local Exhibitions.
(*e*) Providing various facilities for economic development.
(*f*) Encouragement of internal tourism.

Financial Resources of Local Councils

The principal sources of revenue accruing to local councils are, *inter alia*: land tax, a percentage added to national taxes, fees for locally provided services, rents from local council properties, revenue from local council undertakings and grants-in-aid.

A certain degree of independence and flexibility is assured to local authorities by their discretionary powers to initiate local taxes, fees and an additional percentage on national taxes.

Equity in the local tax system is secured by the fact that the assessment of the basis of the main local taxes is undertaken by competent technicians from the central government.

The revenues of local councils may be classified as follows:

(*a*) Shares of national revenues from customs and taxes on 'moveable property' (stocks, bonds, and interest on investments), which accrue entirely to the Regions but which may be redistributed by them in part to town and village councils.
(*b*) Basic and supplementary taxes on agricultural land, one-quarter to the Region, and three-quarters to the town and village councils on land within their borders.
(*c*) Miscellaneous taxes, fees and duties levied locally on property (e.g. rents), vehicles, commercial establishments and other such sources.
(*d*) Profits from public utilities and taxes on commercial enterprises.
(*e*) National government subsidies and grants-in-aid.
(*f*) Loans.

How Local Authorities Work

A local council has the right to make decisions which are to be implemented under its supervision through one of its committees.

Regional and Town Councils have ten committees:

(1) Education, Culture and National Guidance
(2) Public Health
(3) Public Utilities and Communications
(4) Economic Affairs
(5) Co-operatives
(6) Agriculture (including irrigation and rural industries)
(7) Social Services

(8) Youth Welfare
(9) Food Supply
(10) Citizens Advice

Village Councils have four committees:

(1) Education, Culture and Youth Welfare
(2) Agriculture/Co-operative/Irrigation/Rural Industries
(3) Public Health and Public Utilities
(4) Social Services.

The committees are entitled to make recommendations but not decisions, the chairman of each committee is elected by its members. The committees may co-opt outside experts for special technical advice. Each local council meets in monthly session, council meetings are open to the public, unless the council decides otherwise. Each council makes its own rules of procedure.

Local Administration Personnel

One of the ultimate objectives of the new system is the transfer of technical personnel from the national ministries to local authorities. The personnel concerned will be designated by the relevant ministers but will be under the supervision of the Governor or other authorities. However, personnel will be controlled by the ministries in matters such as appointment, promotion, transfer, retirement and status provided by the national civil service law so that uniformity will obtain as between Regions and local units. Employees of the regional, town and village councils constitute one specific, professional class and are considered as one unit in matters of seniority, promotion and transfer. Appointments to vacant positions in the staffs of the local councils within a Region are by open competitive examination among the applicants preferably from the Region itself.

Budgets of Local Councils

The regional council begins to prepare its annual budget for the coming fiscal year four months before the end of the current year. The ex-officio members, in collaboration with the local Governor will have contacted already their respective ministries to get an idea of the probable size of the State grant-in-aid. At the same time the Governor will have obtained from the central Treasury an approximate idea of the share of his Region in the receipts of the joint fund. Local receipts of the Region's financial resources, up to this date, are at the disposal of the council's finance committee. Thus a reasonably approximate revenue estimate will have been obtained for consideration by the finance committee; the committee then proceeds to make an estimate of the coming year's expenditure and submits the whole project of the budget to the Council for final discussion and adoption.

The regional budget, including the annexed budgets of town and village councils, is sent to the Minister of Local Administration for examination. He may write into the budget items of expenditure required by the law, or may remove non-essentials in order to achieve a better balance. But all modifications must be made in consultation with the Governor.

Once the regional budget, with the annexed budgets of town and village councils, is finally approved by the Minister of Local Administration, it is then submitted to the President of the Republic for ratification.

In addition to having an annual budget, the law requires every local council to prepare forward plans for its future activities.

National Controls over localities

National controls over local councils are varied, numerous and inclusive. Almost every significant activity undergoes some scrutiny, inspection or examination, and requires some degree of approval.

Conclusion

It is our opinion that the new system of local administration in the United Arab Republic has great promise and possibilities; its main objectives, decentralization and democracy, are being gradually achieved. We believe that the maximum use should be made of all democratic instruments of local administration. Local Government in the Republic as elsewhere in the world depends on the people and a major objective must always be to carry the goodwill of the people in the policies being pursued for their own betterment.

The Role of the Block Development Officer—Promise and Performance

By G. RAM REDDY

Editor's Note:

In the October 1962 issue of this Journal Mr. Henry Maddick, in an article entitled "Panchayati Raj" described the general pattern of democratic rural local government in India.

The top tier of the Panchayati Raj or rural local government is the Zila Parishad *which consists in most states of indirectly elected Zila councils established in each revenue District covering a population of about 500,000 in some districts to as much as 3,000,000 in others. (Very sparsely populated hill areas maybe as small as 60,000.) The second local government tier called the* Panchayati Samiti *consists of indirectly elected Samiti councils established not in each revenue district sub-division known as a* Taluq *but in each of the areas designated as* Blocks *under the Community Development Programme. The Blocks each include a population of 60,000 to 100,000 or, in sparsely populated areas, 150 square miles might contain a population as small as 15,000. A block area covered by a Samiti council may include as many as a hundred* Panchayati *or village councils.*

Acceptance of the recommendations of the Balwantrai Mehta committee which reported in 1957, resulted in the selection of Blocks as suitable units in which to establish the middle tier of local government bodies, that is the Samiti councils, and the Block Development Officers became their executive officers.

Mr. Ram Reddy, Lecturer in Public Administration, Osmania University, in this article (compiled during his field studies in the states of Andhra Pradesh and Maharashtra) discusses the intended and the actual role of the Block Development Officer.

THE role of the Block Development Officer has been the subject of controversy for some time.[1] Of particular concern is the gap which exists between the ideal of his role and what happens in practice.

The B.D.O. is a new official in the administrative set-up of India; his arrival came as part of the evolution of the Community Development Movement[2] in which his position was that of leader of a team of extension officers: responsibility for formulating programmes and achieving targets was mainly on his shoulders. He was, therefore, the chief agent of change. In view of the development nature of his work, his position and functions were different from those of the officers hitherto known to the people in the rural areas.

The advent of the post-independence rural local government in India

[1] See *Hindu* and *Statesman*, December, 11, 1965; also editorial in *Hindu*, December 13, 1965.

[2] B. Mukerji, *Community Development in India*, Orient Longmans Ltd. (Calcutta, 1961) p. 147

(*Panchayati Raj*) has shifted the emphasis of his responsibilities: now there are non-officials who, as representatives of the people, formulate policies, fix priorities and take decisions, subject, of course, to the rules framed by the state government. The permanent staff headed by the B.D.O. at the *panchayat samiti* or block council level has an important role to play in *panchayati raj*. As the Mussoorie seminar[3] papers point out, the B.D.O's staff must be loyal to the authority they serve and of independent integrity in the advice they give. They must reassure the non-officials that they are not state government men bent only on controlling them and they must provide that measure of guidance, counsel and advice that an officer specially trained in *panchayati raj* affairs is able to give to councillors who are new, inexperienced, and often parochial and partial in their outlook and attitudes. Since it is the prerogative of the non-officials to made decisions, the B.D.O's function is to guide them in decision-making and once the decisions are made, it is his duty to implement them objectively. The non-officials, however, retain the right of reviewing his work. These are the two broad functions expected of the B.D.O. and his staff; all other functions are secondary and subordinate to them.

With these objectives in view we shall now proceed to consider the position of the B.D.O., his conditions of service, and his role in the block administration. Because of the key position held by the B.D.O. at the block level and the crucial position of the block in the administrative pattern that India is aiming to build up, it is of the utmost importance that the B.D.O. should be a person of adequate status and competence.[4] In the social conditions of India today status—particularly official status—has a special significance.[5] This is especially important in countries where the class structure has, for a long time, been rigid and the status of every individual is known and accepted. In such societies, the status or station a person occupies not only determines his superior or inferior rank among others, but also determines the nature and amount of his responsibility.[6] Status, therefore, is important in *panchayati raj* and the B.D.O. is given a similar position in the administrative hierarchy as that of the *tahsildar*.[7]

Only the state of Uttar Pradesh finds it desirable to recruit B.D.Os through a competitive examination. In most states there is a provision for promoting extension officers as B.D.Os. But one regrettable feature is that the quota reserved for promotion is very small. As a result there is not much incentive for the extension officers. The method of drawing B.D.Os from the state civil service is widely practised. But if they are taken only for a brief period of three to five years it is not likely to yield fruitful results. They are prone to consider their posting in *panchayati raj* as temporary. This is particularly the case with the officers who come from the Revenue Department. *Tahsildars* are reluctant to work as B.D.Os. For as *tahsildars* they enjoy considerable powers and command respect from non-officials in their jurisdiction. The post of B.D.O. has no such independent powers and it involves taking directives from the political executive. Though this

[3] Central Institute of Community Development, *Seminar on Public Administration in Panchayati Raj* (Agenda papers) (Mussoorie, 1962), p.56.

[4] B. Mukerji, op. cit. p. 147.

[5] Carl C. Tayler, Douglas Ensinger, Helen W. Johnson, Jean Joyce, *India's Roots of Democracy*, Orient Longmans (Bombay, 1965), pp. 566—567.

[6] Ibid.

[7] Officer in charge of a sub-district.

is a well accepted practice at the national and state levels, the officials at the lower levels resent it. Moreover, the methods by which revenue officials function are quite different from those of the B.D.O. The latter's job involves persuasion, argument, convincing and educating the people. Accustomed as they are to regulative methods, the ex-revenue department B.D.O's find it difficult to change their old methods and outlook. Consequently they function as reluctant guests and eagerly await their return to the parent department. Therefore, the system of recruiting B.D.O's on a secondment basis not only from the revenue but also from other departments is not conductive to developing their loyalty to *panchayati raj* institutions; for their eyes are on the careers in their parent departments.

The importance of training B.D.O's along with other *panchayati raj* officials has been strongly emphasised by the Union Government. Since it is a position of challenging responsibilities without commensurate powers, training in the art of democratic administration has been considered essential. Beginning from the early years of the community development movement, therefore, a massive programme of training has been put into effect.[8] A network of training institutions has been set up all over the country. However, these training facilities for B.D.O's have not been fully utilised. There is also a short-fall in attendance at these centres. Commenting on this phenomenon, a recent note prepared by the central government says: "This is somewhat disconcerting when viewed against the fact that, as of March 1965, there were as many as 676 untrained block development officers in position in different states and that there is, in addition, a constant turnover, which adds to the untrained proportion."[9] With a view to making the training programmes more useful a revised pattern of courses have been introduced. In spite of the changes in the training courses the response of the officials to them is not encouraging. To an extent, this is the inevitable result of pressing priorities like pre-occupation of state governments and the would-be trainees with the busy crop seasons, pressure of business at the end of the financial year and so on. But there appear to be more basic reasons than these for the inadequacy of the B.D.O's training. First, neither government policy nor the individuals assigned to the post regard the B.D.O's position as having any degree of permanency. Second, the instructors, with few exceptions, lack training in teaching methods and few have had any specialised training in administration, social psychology, adult education etc. The third is that, as in all positions in India, the instructors are like rolling stones; they are moved in and out of the training centres all to frequently. As a result B.D.O's on whose shoulders the success of *panchayati raj* programmes largely rests remain inadequately trained for their tasks.[10]

The role envisaged for the B.D.O. in the Acts of *panchayati raj* in the various states is similar. According to them he will be the chief executive

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[8] Ministry of Community Development and Co-operation, Annual Conference on Community Development and Panchayati Raj and the Conference of State Ministers of Community Development and Panchayati Raj, held at Srinagar, July 1965 (*Main Recommendations, proceedings and Agenda Notes*), p.115.

[9] *Ibid*, p. 117.

[10] Howard W. Beer in his penetrating booklet *Relationships Among Workers in Community Development Blocks* (National Institute of Community Development, Mussoorie, 1962) writes that the B.D.Os need much more adequate training than they now get for the jobs. p. 11.

officer of the *panchayat samiti*.[11] The B.D.O. will be responsible for implementing the resolutions of the *samiti* and its standing committees. He will also exercise such powers and functions as may be entrusted to him by the government. He will ordinarily attend the meetings of the *samiti* and its standing committees and is entitled to take part in their discussions. He has administrative control over the staff working in the *panchayat samiti* except the medical officer. It is the duty of the B.D.O. to prepare the budget of the *samiti* and to place it before the appropriate standing committee and the *panchayat samiti* for approval. The annual report which every *panchayat samiti* has to furnish to the *zila parishad* is prepared by the B.D.O. These functions are only illustrative and do not give an exhaustive list of the B.D.O's duties.

As with other legislation the *panchayat samiti* and *zila parishad* Acts give only a general outline of their subject. Properly to understand the Acts one has to study the statutory rules, executive instructions and the statements of ministers and senior officers connected with *panchayati raj*. Only when all these are put together can one get an idea of the role envisaged for the B.D.O. in *panchayati raj*. Here it is proposed to describe some aspects of the B.D.O's work to high-light the divergence that exists between what it ought to be and what it is.

One of the important functions of a B.D.O., as pointed out earlier, is to tender advice to the non-officials in the *samiti*. As an experienced official and as a custodian of rules and regulations, it is his duty to guide the members of the *samiti* and the standing committees in formulating policies and taking decisions. His task is to see that the decisions taken in the *samiti* conform to legal requirements. In performing this function he has to be frank and fearless. Non-officials should welcome candid advice from him. But it is believed that such healthy attitudes have not yet been fully developed in *panchayati raj*. Although it is not prudent to generalise, the tendency of the non-officials in some blocks appears to be to regard the rules as irksome. Any B.D.O. who invites the attention of the non-officials to rules and technical aspects of a programme is considered unhelpful and bureaucratic. They feel that the B.D.O. should "somehow do the (their) work." The realisation that he, as an official, has to follow certain rules in doing the work has yet to take firm roots in the minds of non-officials.

On the establishment of proper relations between the Council President and the B.D.O. depends the smooth functioning of *panchayati raj*. The state governments in their instructions have stressed this. In Andhra Pradesh, the secretary to government in the *panchayati raj* department in his speeches has laid great stress on it.[12] It is pointed out that the president, as the political head of the *samiti*, should give a lead to both the officials and the non-officials.

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[11] See the Panchayat Samitis and Zilla Parishads Acts particularly those passed by the Governments of Andrha Pradesh, Rajasthan, Maharashtra and Gujarat. A *Panchayat Samiti* is a local Council of the second tier.
The *Zila Parishad* is a council of the top tier of the *Panchayati Raj*—See Note at head of this article.

[12] "*Panchayati Raj* is a system of administration in which the elected representative and the public servant are brought under a single yoke . . . . . Maintenance of close harmoney and proper understanding between them is, therefore, of paramount importance. It is through trust, mutual respect and confidence that the best results can be achieved." The Secretary's speech at the *Regional Sammelan of Panchayati Raj Functionaries*, held at Hyderabad, 1964.

He should, in order to assume his leadership role, concentrate on the formulation of policies, the fixing of local priorities and make decisions thereon. The B.D.O. is charged with their execution. In this connection the type of relationship existing between the minister and the secretary at the state and central levels is often cited; one should not interfere in the field of the other. However, one finds that in actual working the relations between these two important functionaries at the *samiti* level are not always cordial. The trouble starts with the much talked about jeep. The rules of government regarding its use are clear. But it is observed that the rules are not always respected by presidents. Instances of the presidents using the vehicle for personal and social purposes much to the neglect of the *samiti* work are legion. The jeep has become a status symbol to the president of the *samiti* and he is eager to exhibit this symbol before the village people. The B.D.O. who is rigid in this matter is rarely liked by his political head and the result is mis-understanding between the two. Allotment of *samiti* funds and transfers of teachers are other matters which fan these fires. The following is an instance of both cause and effects of the strained relations between the president and the B.D.O. Recently the Minister for *panchayati raj* told a member on the Andhra Pradesh Assembly that he had received a telegram that the B.D.O. of Bhadrachalam *panchayat samiti* was assaulted by the *samiti* president and another person in the *samiti* office. The president was a lady! Giving the details the minister said that the president wanted to take certain files home for study while the B.D.O. refused to give them and the trouble started over this. To a question whether it was permissible for the *samiti* president to take official papers home, the minister replied that this was generally being permitted. The B.D.O. was transferred from that *samiti* at his own request.[13] The rules are not quite clear on this issue; they only say that the president has 'full access to all records of the *panchayat samiti*.'[14] The records are in the custody of the B.D.O. While it is true that the president has been given access to the records, the B.D.O. has to see that they are not tampered with or lost. In some cases, says the secretary, *panchayati raj* department, attempts have been made to tamper with the records to avoid legal embarrassment.[15] Therefore, the B.D.O. who has no trust in his president (for various reasons), could entertain the suspicion that the chances of losing or tampering with the records are more if the president wants to take them home.

Under *panchayati raj* the presidents have become very powerful because of the powers they wield in development matters. Pipeline connections, therefore, have been established between *samiti* presidents and the politicians at higher levels. They have become key leaders in the general elections. As S. K. Dey remarked: 'A person who wants to get himself elected to the state legislature or parliament has to depend on the support of these institutions, their workers and office-bearers. No one can become a member of the state legislature or parliament without the active support of the *panchayati raj* institutions. That being so, it is extemely doubtful if they will ever be

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[13] See *Deccan Chronicle*, March 30, 1966.

[14] See *The Andhra Pradesh Panchayat Samiti and Zila Parishad* Act, 1959 Section 22. (As amended up to 27 July, 1964).

[15] The Secretary's speech at the Regional Sammelan, Tirupathi, 1964 (mimeographed).

left alone by the representatives in parliament and state legislature.'[16] Understandably the leaders at the top are anxious to woo and keep the presidents in good humour. The natural consequence of this has been a strengthening of the position of the president vis-à-vis the B.D.O. To a politically powerful president the B.D.O. cannot point out the rules without fear of some adverse consequences; the usual and well understood one being transfer. A British observer of *panchayati raj* writes '. . . . . a word in the ear of ministerial friends can always secure the B.D.O's transfer, if he is not amenable to the president's wishes."[17] In his anxiety to save his skin, he becomes subservient.

This subservience is the result of another factor also. There is a salutary rule that 'No officer or servant of the *panchayat samiti* or *zila parishad* shall bring or attempt to bring any political or other outside influence to bear upon any superior authority for furtherence of his interests.'[18] But the cases of B.D.O's seeking advancement in their careers by using the political influence of their presidents are not unheard of. The presidents, however, would expect the B.D.O's to toe the line.

This takes us to another important point, the neutrality of the B.D.O., which is a cherished principle of the career civil service.[19] The neutrality of the B.D.O. refers only to neutrality towards the local groups and politics. As an official he should not evince interest in local political struggles. According to the rules: 'No Officer or servant of a *panchayat samiti* or *zila parishad* shall take part, subscribe in aid of, or assist in any political movement in India or any such movement relating to Indian affairs.'[20] An officer also should not interfere or use his influence in any way in the elections. One reason why such neutrality is desired is because politicians who are in majority in the *samiti* are prone to take decisions for political considerations. To buttress their own strength and weaken the opposition, they may use their official position in a manner which will be detrimental to the interests of their opponents. The villages belonging to opposition groups are likely to receive less attention than the majority group villages in development programmes and works. In such circumstances the neutral and impartial behaviour of the B.D.O. is the only safeguard for the opposition members. But doubts are increasingly raised whether B.D.O's are able to maintain their neutrality unsullied. The opposition members in *samitis*, at any rate, seem to feel that B.D.O's weigh the scales in favour of the majority group and that the voice of the opposition group falls on deaf ears. The feeling is not without some substance, even conceding that the opposition at times exaggerates and bases its charges on suspicion. In one *panchayat samiti*

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[16] S. K. Dey at the *Seminar on Fundamental Problems of Panchayati Raj* (New Delhi: All India Panchayat Parishad, 1964), p. 30.

[17] Hugh Gray, "The Problem", *Seminar* (Number on Panchayati Raj), September 1963, p. 11.

[18] Planning and Local Administration Department (Govt. of Andhra Pradesh) Statutory Rules under the Andhra Pradesh *Panchayat Samitis* and *Zila Parishad* Act, 1959 (corrected up to 1962), p. 386.

[19] ". . . . . Civil service neutrality is the sheet-anchor of democratic administration and public servants should be encouraged never to identify themselves with any political, social or religious group of party." C. P. Ramaswani Aiyar, *Administration-Then and Now*, a lecture delivered at the Indian Institute of Public Administration, (New Delhi, 1960) p. 8.

[20] *Statutory Rules under the Andhra Pradesh Panchayat Samitis and Zila Parishads*, op. cit.

it was alleged by the opposition group that the B.D.O. tampered with the attendance register of the *samiti* members with a view to disqualifying some of the opposition members from voting in the election for the presidentship of the *samiti*. There are instances where the opposition group identifies the B.D.O. with the majority group in the *samiti* and he is made a target of their attack. The neutrality of the B.D.O. is, therefore, very much suspected. A thing commonly felt by B.D.Os themselves is that there are far too many political pressures on them and it is difficult to resist them. The cumulative effect has been that the neutrality of officials is being increasingly questioned. There is a tendency towards the 'politicization' of administration. The B.D.O. and the extension officers, afraid of their political superiors, try to conform to the dictates and standards of the non-officials. In this process the independence and neutrality of the administration is likely to be more and more undermined.'[21] The atmosphere in some places smacks of the spoils system and not of a career service upholding the virtues of civil service neutrality. As a senior officer aptly commented: 'We expected that the president and the B.D.O. would go hand in hand but they are hand in glove.'

A reason for the B.D.O. not being able to hold the scales even in local politics is said to be due to the administrative control of the president over him. In some states, e.g., Andhra Pradesh and Orissa, the president writes the confidential report of the B.D.O. In India an official fears nothing more than his confidential report, which if adverse, stands as a stumbling block in the way of his promotion. Since this power has been given to the president of the *samiti*, it is feared that he would use it as a weapon to be brandished against his recalcitrant B.D.O.[22] Instances of misuse of such power are not lacking. While, there is truth in these arguments, there appears to be a tendency to exaggerate the consequences of this power of the president of the *samiti* over the B.D.O. For the district collector is competent to assess the veracity of the report written by the president and to rectify the wrong done. The collector's version has far more weight than that of a prejudiced president. But the comic aspect of this is that it is reported to have been said by a senior officer, that instead of fearing bad confidential reports, some of the condemned B.D.Os are getting very good 'chits' from their presidents. Occasionally the B.D.O. writes his own confidential report, the president only affixing his signature. The president's power to write the confidential report, no doubt, contributed towards making the B.D.O. servile to him. But the inference that if this power is taken away from the president of the *samiti*, the B.D.O. would act impartially is not borne out by experience. In Maharishtra, the confidential report of the B.D.O. is written by the chief executive officer of the *zila parishad* and the president (he is called chairman in that state) of the *samiti* has nothing to do with it But the situation is no better in that state than in others. Nevertheless, since it is intended that the B.D.O. should protect the interests of all, irrespective of their group affiliations, it is necessary to take away the power to write the confidential report of the B.D.O. from the president. This alone might not cure the present disease but it will at least strengthen the will of those who wish to take a stand of their own.

[21] C. N. Bhale Rao and I. H. Khan, "Some problems of Development Administration under Panchayati Raj", *Avard*, Vol. VI (November-December, 1964).

[22] This problem is noted by Seminarist in "a Artique". *Seminar* op. cit. p. 22.

The B.D.O. is a development officer. It would be an interesting study to know how much of a B.D.Os energy is sapped by non-developmental work. As an American sociologist put it; 'One may also read and hear the complaint that too much potential community development energy is taken up by visits from VIP's . . . . . There is apparently an elaborate ritual of village visiting. Days or weeks in advance an itinerary is planned for the visiting dignitary, who usually not only accepts but expects the homage paid. . . . . and everything possible is done to please Caesar and also give him false impressions.'[23] It may sound uncharitable criticism, but no observer of the situation in the *panchayat samitis* will fail to notice this fact. The visits of the V.I.P's would be useful if they were stripped of the elaborate paraphernalia and rituals which upset a B.D.O's work schedule.

With the advent of *panchayati raj* the paper work of the block officials has increased. The B.D.O. and the E.Os are required to maintain several registers. The reports and returns to be sent by these officers are far too many in number. A certain amount of paper work is unavoidable in any organisation and it is more so in a public one.

But there appears too much of it in *panchayati raj*. Commenting on this Sri V. T. Krishnamachari says in his report[24] that there is need for a special examination of the correspondence work in villages, blocks and districts. "I have noticed that elaborate registers and records are maintained and returns are prescribed which take up a great deal of time . . . . . " This mounting paper work has had an adverse affect on the functioning of the B.D.O. Since his efficiency would, to some extent, be judged by his superiors on the basis of records maintained and reports sent in time, the B.D.O. is prone to give more attention to this work, at times even at the cost of development work. Consequently, his field work receives less attention than it deserves. In Andhra Pradesh, the problem was discussed at the regional *sammelan* (conference) of *panchayati raj* functionaries held at Warangal in 1965 and it was recommended that it must be reduced to the barest minimum. Only when the B.D.O. gets some salvation from this incubus will he be able to think of going to the villages and understanding the prople's problems. It should not be difficult to examine the utility or otherwise of the paper work at the block level if the O & M unit is entrusted with the task.

One of the maladies of the Indian administration is the frequent transfers of officials from one post to another. The official is not kept at a post for a sufficiently long period for him to understand the problems of the area, grasp the intricacies of the job and contribute to its effectiveness. This malady has not spared the *panchayati raj* administration. There have been complaints that B.D.Os, like other *panchayati raj* officials, are subjected to frequent transfers.

The data collected by the author in thirteen blocks in a district of Andhra Pradesh regarding the tenure of B.D.Os throws some light on this problem.

In about 60% of the blocks the tenure was less than 18 months. The number of blocks in the highest tenure bracket of 19-24 months was only 40%. In fact, only in two blocks did the average tenure reach as high as 21 months. These findings also substantiate our earlier conclusions on the

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[23] Howard W. Beers, op. cit. p. 4.

[24] Planning Commission (Government of India), *Report on Indian and State Administrative Services and Problems of District Administration* (August, 1962), p. 52.

short tenure of the B.D.Os in the blocks. In no block did their tenure correspond with the stipulation of the state government in this connection, i.e., the B.D.Os normal tenure in a block should be about three years.

There appear to be several reasons for this phenomenon, not the least being political convenience and influence. V. T. Krishnamachari invites the attention of the state governments to this matter and says that there is need for continuing administrative and technical officers in the positions for long periods. 'At present in many cases, they are transferred frequently. This is fatal to efficiency.'[25] The difficulty is not due to the absence of rules governing the transfers of officials. In fact there are rules saying that normally an officer should be kept at a post for about three to five years. But these rules are not given the respect they deserve and the officials are transferred under that blanket term 'on administrative grounds.'[26]

Another factor that has seriously hampered the role of the B.D.O. in the successful implementation of development programmes at the block level is the attitude of B.D.Os. Since they came into local government from other departments for a short period, they tend to have strong departmental loyalties; and pay only lip service to the ideals and programmes of *panchayati raj*. Besides this, certain habits of colonial law and order administration are practised by B.D.Os in implementing the development programmes. Red-tape and bureaucratic behaviour are a common phenomenon. Certain B.D.Os revel in emphasising the rules. As a result work remains undone and the rules of the government, of course, remain sacrocanct. There is a mechanical application of rules, forgetting their spirit. This is done by B.D.Os to save themselves from any catastophe; they want to play safe. Consequently both the rules and B.D.Os are safe but their safety sometimes has serious consequences for others. There is a negative attitude which is typical of the present day Indian administration. No wonder Ensminger chides such an attitude in the execution of plans and programmes in *panchayati raj*. He says: 'The thing India has not fully succeeded in doing is to transform administrative bureaucracy from its pre-independence regulatory orientation to one of forceful developmental purpose.' Continuing he writes: 'In a development project it makes a great difference whether the officials and staff are people who just follow instructions and established routines without change-minded initiative in their work or are workers who desire and seek all possible ways to attain the goals of the project.'[27] Unless B.D.Os are enthused with the spirit of change-minded initiative the developmental programmes are not likely to make much headway.

The foregoing account of the role of the B.D.O. reveals that there is a wide discrepancy between promise and performance. Led away by the unsatisfactory working of the B.D.O. some have suggested that this post should be abolished. The Government of Madhya Pradesh is the first to make such an announcement.[28] The estimates committee of Mysore also advocated abolition. Several members in the *lok sabha* urged that the

[25] V. T. Krishnamachari, op. cit., p. 52.

[26] Carl C. Taylor and others observe that India must provide greater continuity of staff in the community development programme, op. cit. p. 203.

[27] D. Ensminger, "India's Frontiers of Change", *Kurukshetra*, (October 2, 1963), p. 12.

[28] "The Chief Minister Mishra today announced the state government's decision to abolish the much-criticised office of the B.D.O. . . . . The Government's decision will result in the annual saving of Rs. 18 lakhs",, *Hindustan Times*, December 5, 1965.

Community Development Department should be wound up and praised the Madhya Pradesh government's step in this direction. Tabling a short notice question on the the subject, Mr. H. V. Kamath congratulated the Madhya Pradesh government for abolishing the post of B.D.O.[29]

In the states where *panchayati raj* has been introduced the critics of the B.D.O. seem to miss the whole point. *Panchayati raj* units at various levels are not mere agencies of the state government; they are also the local self-government institutions, a point which is often forgotten. The Committee on Plan Projects dissatisfied with the working of the community development projects suggested that if representatives of the local people were associated with them, they might be able to enlist the co-operation of the people.[30] Under this scheme which is now known as *panchayati raj*, the non-officials in the *samiti*, the standing committees and also the president are to take the initiative in development programmes and the making of policies. The B.D.O. is their chief executive charged with the responsibility of implementing programmes and this cannot be entrusted to the non-officials. Moreover, there are several subject matter specialists at the block level each in charge of a field of activity e.g., agriculture, co-operation, education. In the absence of a co-ordinating officer there will not be any concerted action and the extension officers are likely to work at cross purposes. So even after the abolition of the B.D.O. there will be need for a co-ordinating officer. Referring to the decision of Madhya Pradesh Government Mr. S. K. Dey rightly pointed out 'agriculture, animal husbandry, co-operation and minor irrigation are closely inter-related. In order to maximise the impact of these programmes on agricultural production, co-ordination at the block level is an even greater imperative today. While the resultant economy will not be significant, the administrative consequences of this decision will be serious.'[31] There is, therefore, need for a chief executive at the block level just as there are chief executives in other local bodies in India; indeed the B.D.Os role is comparable with that of a commissioner of a municipal corporation.

But unlike the mayor of a corporation who is a ceremonial head, the president of a *samiti* has certain administrative powers. If the B.D.O. has not done well, the president and the *samiti* have power to pull him up; they are free to do so. However, if the *samiti* programmes have failed the tendency appears to be to make a scapegoat out of the B.D.O., while the president and the standing committees go scot-free.

Following the traditions of parliamentary form of government at the state level, the minister who is the political head of the department is held responsible for the working of his department even though there are civil servants under him. When there is a failure, the legislature demands the head of the minister; that has to roll first. If the development programmes have not been successfully implemented at the *samiti* level, it is not due only to the failure of the B.D.O. in his duties but also to the imperfect working of the system of which the president and the standing committees are the most important parts. Therefore, the responsibility for omissions and

[29] See Hindu, December 11, 1965.

[30] Committee on Plan Projects, Planning Commission, *Report of the Team for the Study of Community Projects and National Extension Service* (New Delhi, 1957) Vol. I.

[31] *Hindu*, December 11, 1965 and January 3, 1966.

commissions at the block level is primarily theirs and not that of the B.D.O. Besides, the president of *panchayat samiti* and the collector or secretary of *zila parishad* are always free to point out the B.D.Os faults with reference to the implementation of any particular programme or programmes. If the officer concerned is beyond correction, a bad entry can be made in the confidential reports. But is there any evidence to this effect? The onus of responsibility is on the non-officials.

Another reason for the attack on the institution of the B.D.O. appears to be the woeful failure of the *samitis* to raise food production, in spite of repeated instructions from the central and state governments. But in this respect the policies of state governments seem to suffer from some confusion. Until recently *samitis* and B.D.Os were asked to look after several functions besides agriculture, e.g., education, social welfare, construction of roads, medical facilities etc. It was said that they were in charge of all rural development work. Such works cannot be avoided because the *samiti* is also a unit of local government. The fact, however, remains that the B.D.O. used his energies on the several functions at the block level and treated agriculture as one of the many. No clear-out priorities were insisted upon.

Even when B.D.Os are instructed to undertake agricultural programmes they have to work under serious limitations. It is commonly observed that the grants for the programmes are released by the state government at the very end of the financial year which results in hurried expenditure. In some places the fertiliser and seed are not supplied in time. There are instances where the improved seed supplied to the block did not have good germination. The author was told in a district of Andhra Pradesh that the hybrid *jowar* supplied had only 25 per cent germination. Availability of credit for agricultural purposes is a story by itself. These are all factors over which the *panchayat samiti* and the B.D.O. have very little control.

There is yet another factor which is not conducive to increased agricultural production or to creating the proper atmosphere for the development of agriculture as a whole: that is the training of the B.D.O. Most of the B.D.Os are drawn from the departments other than agriculture. The question naturally arises whether such B.D.Os can understand the problems of agriculture. That in view of the importance attached to agriculture, the B.D.O. should not only be a good chief executive officer of the *samiti* but also a person with some knowledge of agriculture, has been realised by hardly any state. It is suggested in some quarters that the B.D.O. should function primarily as an agricultural production officer and should act as secretary of the agricultural production committee of the block, and that the work relating to amenities programmes, social services and routine office work should be entrusted to the social education organiser or the *panchayat* extension officer.[32] The estimates committee of Andhra Pradesh legislature has also suggested that more and more B.D.Os should be drawn from agriculture.[33] These suggestions are worthy of serious consideration; for unless the B.D.O. is a man who is familiar with agricultural problems, he is not likely to evince much interest in them. Therefore, only those with training in agriculture and its allied subjects should be at the helm of affairs

[32] *Approach and Strategy for Agricultural Development in the Fourth Plan*, op. cit.
[33] Andhra Pradesh Legislature, *Report of the Committee on Estimates* 1965-66 *on the Panchayati Raj Department* (Twelfth Report) Hyderabad: The Government Secretariat Press, 1966; p. 18.

at the block level and not those whose pleasure lies in raising queries rather than solving them; this would mean reconsideration of the rules governing the selection of B.D.Os.

The picture which emerges out of this description is that although the B.D.O. is expected to perform a crucial role in *panchayati raj* several factors seem to handicap him. Those factors which are purely administrative in nature such as training and work-load can be changed without much difficulty. But the analysis also reveals that in actual working there are strong political pressures which often dictate how the B.D.O. has to act. This is the climate in which the present day Indian administration functions but its effects are felt piercingly at the grass-roots level. There does not appear to be any easy remedy. However, one of the ways to withstand the pressures is to strengthen the position of the B.D.O. as the chief executive officer. At the higher levels the virtues claimed for the I.C.S., and I.A.S., are, among other things, due to their guaranteed conditions of service. In view of the politically explosive character of the B.D.O's job, it is necessary to provide him with conditions of service under which he does not have to depend upon his political masters for advancement in his career.[34]

Further, the state governments should clearly lay down the priorities for *panchayat samitis* so that the performance of these bodies can be tested against a clear background. Even though agriculture requires much attention, not enough appears to have been paid until recently. It is not sufficient if solemn proclamations on agricultural production are made at the capitals of states. They should be followed by equipping the *samitis* and their staff with adequate resources to do their job. It is here that most states have deficiencies that need to be made good.

[34] One of the suggestions made in this connection is to create an Indian Local Government Service, see *Seminar on Public Administration in Panchayati Raj*, op. cit., pp. 64—67.

Local Government in Tanzania
Part 1[1]

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The End of the Native Authority System

At the time of independence in 1961 there existed two categories of local authority in Tanganyika: eleven urban[2] and six rural councils established under the Local Government Ordinance of 1953 and more than fifty other rural councils brought to different levels of constitutional advancement under the old Native Authority Ordinance. Though little practical difference existed in the functions performed by rural authorities of whatever category, the large majority of councils – those still functioning under the provisions of the Native Authority Ordinance – were not yet fully representative (by electoral process) of the local people; they lacked jurisdiction over non-Africans residing within their areas; and they had no power conferred upon them by law to exercise functions in their own right. The policy of the colonial government had been to remove these three disabilities as and when circumstances appeared favourable in particular cases. It seems likely that more African district councils would have graduated to the status of fully-fledged local government bodies prior to independence but for the unwillingness of most of them to accept a small element of non-African representation as the price of greater autonomy of operation.[3]

This particular fear was removed by the attainment of independence. A national government formed largely of elected representatives of the indigenous African people was not interested in advancing its system of local government along multi-racial lines. It was not prepared to make special concessions to local non-African constituents. The latter could, if they so desired, take their chance at the polls like anyone else. Thus it was that by July, 1962, all of those local authorities whose constitutional advance had been retarded were duly endowed with a new status under the Local Government Ordinance. Much of the subsidiary legislation made in 1962 consists of Orders made by the Minister for Local Government to confer upon these local bodies statutory Instruments of Establishment.

[1] This article is concerned solely with Local Government in Tanganyika, the mainland of the United Republic of Tanzania. Part II of Mr. Dryden's Article will be published in the next issue of the Journal.

[2] Excluding the City of Dar es Salaam.

[3] For example, the Provincial Commissioner of the Northern Province, in his annual report for the year 1957, commented: "In the sphere of inter-racial local government, the attempt to form a district council in Moshi was temporarily shelved, as it was evident that the Chagga were unsympathetic". Two years later the Provincial Commissioner of the Lake Province reported a reversal of constitutional progress in Geita district, where "the unreasoned opposition against the new statutory district council, because it contained a tiny minority of non-Africans in its membership, led to its abolition".

Basic Problems: the Inadequacy of Resources

The attainment of a new legal status brought no automatic improvement in the quality of local government. If there was any change in performance, it was in most cases a change for the worse. The deterioration revealed itself mainly in frequent financial crises and insolvency brought about by ill-considered decisions on the part of councillors, malpractices by employees or sheer inefficiency by all concerned. Examples of the inadequacies of both councillors and staff are numerous in the post-independence era. The annual reports of the controller and Auditor-General on the accounts of individual councils testify most eloquently to the inability of many rural local authorities to maintain tolerable standards of integrity and efficiency. The following are a few examples taken at random of the unhealthy situation in which many councils found themselves. In the Mbeya and Nachingwea districts during 1964, there was unauthorised expenditure exceeding Ss.30,000/– (£1,500). An internal auditor reporting on the accounts of Chunya District Council in September, 1965, wrote:

> "Financial instability is worse than ever. Only 45 per cent. of total revenue estimated has been collected up to the end of July, 1965. Bank overdraft has existed since April with large sums charged monthly as interest."

In May, 1964, the Regional Commissioner, Mbeya, took drastic action to keep the once wealthy Rungwe District Council in a state of solvency. No expenditure of any kind was to be incurred without authority from his office – 'even staff salaries must stop for a while'. Managerial incompetence afflicted councils both large and small, those with and those without a history of progress and prosperity.[4]

It would be incorrect to suppose that incompetence and dishonesty in local government are phenomena peculiar only to the post-colonial era. It was the withdrawal of day-to-day control by experienced administrative officers of the colonial government which led to the decline in standards of efficiency and which gave free rein to those who were able and willing to turn the situation to their own advantage. There was nothing unexpected about this. The lifting of effective controls merely exposed certain basic weaknesses which were already known to exist in the local government system. In the first place, the body of elected councillors who now bore responsibility for the progress and prosperity of their home areas were, for the most part, ill-equipped to shoulder such responsibility. In general, they were poorly educated, they had little knowledge of the purpose and practice of local government, and they were uncertain of their role as councillors within the system itself.

Secondly, the quality of local authority employees was variable and, in general, poor at the time of independence. This was due to several factors. No unified local government service existed and career prospects in local government were not good. The output of school leavers with four or more years of secondary education was inadequate to meet the needs of better paid employment, let alone those of the local authorities. There was a growing antagonism between local authority staff and elected members of the African district councils. This did nothing to make the local government service

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[4] The Chunya and Rungwe district councils, both in Mbeya Region, reflect extreme differences of economic advancement, the latter being much the more prosperous.

attractive to those who might otherwise have been tempted to enter it. When all councils became fully elective and the controlling hand of the district commissioner was removed, the morale of the local government employee, already under strain, reached a depressingly low level which did not augur well for the future of the local government system. Revealing itself when day-to-day controls were being relaxed, it led to a spate of irregularities which were as much the result of negligence as of deliberate malpractice. The example set by inexperienced councillors served only to precipitate the general decline in standards of performance.

A third chronic weakness of the system was the lack of adequate finance to improve and expand the services which were already in existence. The most important of these were administrative, educational and medical. Lower down in the scale of priorities were communciations, community development and natural resources, the improvement of these services being tacitly regarded as primarily the concern of the central government. The clamour for extended social services, particularly educational, which followed in the wake of independence often expressed itself in unrealistic budgeting and financial juggling of a kind which led many a council up to and beyond the edge of bankruptcy. Since the revenue from rates and other sources showed no general advance and in some areas declined, what was gained in improving one service was sometimes only possible at the expense of another. The greatest expansion took place in primary education, responsibility for which had been placed on the shoulders of local authorities by the Education Ordinance of 1961. It was an expansion made possible only by subventions from the central government to the extent, of about 50 per cent. of all recurrent costs and a somewhat larger proportion of the capital costs. The channelling of additional local funds into education tended to denude other services of even their minimum requirements. In particular, the routine work of maintenance of all kinds was neglected by many councils. The standard of locally maintained roads deteriorated and buildings fell into a state of disrepair and neglect.

The tendency of councils to concentrate their resources on the development of one or two particular services to the neglect of others is a characteristic feature of local authority budgeting. Perhaps its most significant consequence has been to direct resources into channels which make no immediate contribution to the production of wealth. The continuous generation of new wealth is a condition precedent to the expansion of existing services as well as to the financing of new development. It is mainly through an increase in the taxable capacity of its ratepayers that a local council can hope to increase its own capacity, develop its services and still retain a measure of independence to regulate its own affairs. In recent years, rightly or wrongly, rural local authorities in Tanganyika have placed emphasis upon improving social services and have been content to leave major economic development to central government, the co-operative movement and to the efforts of individual farmers.[5]

[5] As no composite figures of local authority budgetting have been published since 1963, it is necessary to look for evidence of this in the annual estimates of individual councils. For example, in the 3-year period 1962-64, the recurrent expenditure of all district councils (excluding Pare District) in Tanga Region increased by £165,132. Of this sum £99,276 (or 60%) was spent on social services, mainly educational.

Constitutional Advance: The Eclipse of the Chiefs

Emphasis has been placed so far upon certain basic weaknesses in the system of local government in Tanganyika. These are mainly symptomatic of the chronic shortage of human and financial resources which exists generally. This scarcity is itself a reflection of the social and economic poverty of the country, a situation of which the government is well aware and which it is doing its best to overcome. No dramatic improvement can be looked for as a result of adjustments and modifications to the machinery of local government. Any real and general advance is most likely to occur as a result of the economic and social policies of central government being brought to fruition.

Nevertheless, attempts have been made since independence, if not to transform the local government system, at least to revitalize and streamline it in order to make it work more effectively. The first of the measures taken was aimed at constitutional reform. The Native Authority system was abolished in 1962. The African district councils which had exercised the functions of Native Authorities either solely or jointly with traditional chiefs were reconstituted under the provisions of the Local Government Ordinance. They became fully elected councils[6] with jurisdiction over local residents of all races. A triumph for democratic principles, it brought about the eclipse of the chiefs. They were removed from their traditional place at the head of local affairs and the majority of them retired to obscurity.[7] Not only did they lose their employment as paid officials of the local council, they also relinquished their powers in relation to law and order when the African Chiefs Ordinance was replaced.[8] Shorn of any official power or status, they were permitted nevertheless to use the honorary title of 'chief' and to exercise functions in relation to such tribal customs, ceremonies and practices as did not impinge upon the work of government.

The effect of this change was to remove from the scene a body of rulers, most of them hereditary, with whose assistance (and that of their fathers) the British colonial power had governed Tanganyika for a period of forty years. They had been the main prop of Sir Donald Cameron's system of 'indirect rule' which harnessed indigenous institutions to the task of governing the country.

During the first three decades of British colonial rule, for economic as well as political reasons, the governing power was content to administer rather than to develop the territory whose destiny had been entrusted to it, first by the League of Nations and latterly by the United Nations Organization. It was during this period, in particular, that the chiefs proved to be a valuable asset to the central governing authority. Soon after the Second World War, however, it became evident that the British Government was committed to a policy of reform, however gradual, throughout her colonial possessions. Policy statements on the need to guide dependent territories gradually to self-government and eventually to independence within the Commonwealth were followed by the initial steps towards implementation.

[6] In most cases, however, the Minister reserved to himself the right to appoint up to three members of his own choosing.

[7] A few of the more competent were retained as divisional executive officers. Several others emerged to occupy top posts in Government (e.g. Ministers, an ambassador, regional commissioners, chairmen of national bodies, etc.) besides those who obtained other types of Government employment (magistrates, administrative officers, a game ranger etc.).

[8] By the African Chiefs Ordinance (Repeal) Act, 1963.

In the sphere of local government, a policy directive sent to colonial governors in 1947 by the Secretary of State marked a turning point for local administration in Tanganyika and elsewhere. The trend was to be in the direction of fully representative governing authorities; in the course of time, these were to replace the system of local government by Native Authorities which had existed since the early days of colonial rule. Thus, the writing was on the wall for the African chiefs of Tanganyika: it was merely a question of how long they would be able to stay in office. The unpredictable element was the strength of the demand which was likely to arise for more democratic forms of government and the speed at which the colonial power would be able and willing to meet that demand.

Considerable progress had been made by the time of independence to convert the personalized administrations of Native Authorities into corporate organisations with a strong element of elected representation. By July, 1962, democratization had been completed. Popularly elected councillors were in control everywhere. With the reorganization of the Provincial Administration,[9] the steadying influence of experienced administrative officers was removed. The result in a few councils was something near to chaos.[10] A new and agonising phase began in the comparatively short history of local government in Tanganyika. The piece-meal constitutional advance which had occurred under British tutelage was followed by a period of feverish adjustment and familiarization with the mechanism of local government in its new form – a mechanism which until then had been held firmly under control by a largely expatriate Provincial Administration. To some extent the local authority system was doomed to suffer more from democratic indigestion than the machinery of central government. Whereas political decision-making in the civil service departments is confined to a few limited though critical points at the centre of affairs, the political element in the English model of local government permeates the whole administrative complex through the operation of the committee system. There is small insulation in local government administration from the pressures and manoeuvrings of elected councillors. If this be true of England, it applies with even greater force in a country where the institution is comparatively new and where the conventions which govern behaviour and relationships have not yet had time to crystalize.

The establishment of all rural councils under the Local Government Ordinance involved, in addition to the principle of elected representation, the exercise of functions by a council in its own right. In its Instrument of Establishment, a council is given powers (largely permissive) to administer a wide range of services. This devolution of powers to local councils, though it enhanced their status, had little practical significance. As Native Authorities, local councils were already permitted by the central government to administer a range of services which was limited only by the ability of councils to finance them. The change-over from native authority to district council status was primarily of constitutional significance. It did not in itself provide for any

[9] Simultaneously with the constitutional innovations introduced into rural local government, the Regional (formerly Provincial) Administration underwent sweeping changes in personnel and functions. An account of these changes is contained in "The Reorganization of the Administration in Tanganyika", by W. J. Warrell-Bowring, *Journal of Local Administration Overseas*, October, 1963.

[10] For example, the North Mara District Council was dissolved by the Minister of Local Government in early 1962 for excesses on the part of both councillors and staff.

significant additional flow of revenue to local authorities nor did it commit those authorities to an expansion of services requiring additional outlay.

A Unified Local Government Service

The infusion of a stronger element of democracy into local councils, though sound in principle, led to difficulties in practice, not the least of which was its effect on the morale of local government employees. Although the protection which staff had enjoyed from the central government as servants of Native Authorities was written into the legislation providing for modern-type local authorities,[11] it was not likely to be adequate compensation for the doubtful privilege of belonging to councils whose new masters tended to be dictatorial or, at the very least, unpredictable. If the local government system was to survive and grow according to the original design, it was clearly a matter of first importance to safeguard the interests of the executive staff and to offer them a status commensurate with the responsibilities which they were being asked to shoulder. It was equally essential that the terms of employment offered should be such as to attract to the service a better educated and more able type of officer than had hitherto been recruited by local councils. The point was well made by the Minister for Local Government and Administration when addressing the National Assembly on June 29, 1962. He said:

> 'With the present shortage of trained personnel, it has become more important than ever before to attract to local government the very best type of recruit. To do this, and to ensure that local government receives a fair share of the trained manpower available within the country, it is necessary to offer security of office, and salaries and conditions of service, together with opportunities for training and prospects of a full career, comparable with what is offered to equally well qualified candidates for the civil service.'

The Local Government Ordinance contained among its provisions at least a partial answer to the problem. The relevant section reads:[12]

> 'The Minister may, if he deems it expedient so to do, formulate a scheme for the establishment of a Local Government Service and a Local Government Service Commission . . . and submit the same to the National Assembly which may by resolution confirm the Scheme.'

A scheme on these lines was, in fact, formulated and published [13] in May, 1962. The National Assembly accepted it, a Local Government Service Commission came into being in July of the same year, and the service was deemed to be unified with effect from the January 1, 1963. The act of unification was given practical significance by the promulgation in early January, 1963, of regulations[14] dealing with such matters as appointments, promotions, transfers as well as disciplinary procedures. At the same time a comprehensive set of staff regulations was introduced, setting out in detail new salary scales and conditions of service applicable to all local government

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[11] Section 128 of the Local Government Ordinance.
[12] *Ibid.* Section 139.
[13] General Notice No. 1225, published as a special supplement to the *Official Gazette*.
[14] The Local Government Service Regulations, 1962, published as Government Notice No. 1 of 1963.

staff. The new scales of remuneration were closely related to those of central government, each council being graded for purposes of measuring the degree of responsibility and the remuneration of its most senior officials. After nearly four years of operation, it is perhaps still too early to assess the positive achievements of the Commission. The rights of serving officers have been safeguarded and their status has undergone considerable improvement. While this has undoubtedly raised the morale of the service as a whole, it is difficult to gauge how much has been gained in terms of increased efficiency. Courses of training, both in-service and pre-service, have been held continuously under the auspices of the commission at both the Mzumbe Local Government Training Centre and the Institute of Public Administration in Dar es Salaam. Short courses and seminars have been organized for councillors.[15] Negotiating machinery has been established[16] and provision made for a Joint Staff Council. A recognised procedure for the settlement of disputes between employees and the employing authority has been formulated. All this has undoubtedly helped to improve standards. But until the local government service has succeeded in recruiting sufficient staff of high calibre to occupy middlegrade and senior posts and until this type of entrant has had time to gain knowledge and experience of the working of the local government system, it would be unrealistic to expect any significant advance in quality of performance. The prospect must be faced that the local government service is not likely to prove especially attractive to the better type of candidate seeking employment in the immediate future. This is mainly because highly educated young men will not easily adapt themselves to a system in which administrative decisions of any importance are reserved for councillors lacking in experience and educational attainments for the most part, while opportunities for well-paid and more congenial employment exist in both commerce and the civil service.

The Organization of District Councils: The Role of the Chief Executive Officer

A pressing and special need exists in local government for good management, both administrative and financial. The key posts in any local authority are those of chief executive officer[17] and treasurer. The problems of management under Tanganyikan conditions require the exercise of a different kind of authority from that wielded by an average town clerk in England. In rural local government, a chief executive officer occupies a position at the top of an administrative hierarchy. He is the effective head of the executive machine. All members of staff are subject to his directions. The concept of *primus inter pares* does not apply to him, however appropriate it may be to describe his English counterpart. There is no legal or other formula which sets out to define his status; it is doubtful whether his relationship with other employees is even mentioned in the standing orders of any local council. Yet his pre-eminence is acknowledged not only in the structure of salary scales but also in the deference which is accorded to him by staff and (in most cases) by councillors alike.

[15] District Training Centres have been set up by some local authorities for this and other purposes.

[16] Under the Local Government Service (Negotiating Machinery) Act, 1963.

[17] Known as "town clerk" in urban local authorities. The prefix "chief" is used here for the sake of clarity, though it is not used in practice.

The reason for this is to be found in the state of development of local authority services. A committee system exists, as in England, for the despatch of business arising under different heads of administration. It is not, however, paralleled by an advanced state of departmentalization in the style of the English model. The management of primary schools involves the payment of salaries, the purchase of school materials and the maintenance of buildings. But there exists no education department as such in the administrative organisation of the average rural district council. The training and provision of teachers, the inspection of schools, the provision of advice on educational development: all these matters are the concern of the central government. The burden of responsibility so far devolved upon most local authorities for educational matters is such as to make the appointment of an educational specialist uneconomic at the present time. Much the same reasoning applies in respect of the provision of medical facilities. Most rural local authorities run small dispensaries and clinics. Apart from arranging for the payment of salaries to staff and providing for the purchase and distribution of drugs and for the upkeep of buildings, the average local authority has no other executive commitment. The training of medical assistants and aids, the supervision of local medical services and the furnishing of expert advice on the development of health services are again the province of the central government. Unless and until the provision of medical care and attention is undertaken on a more ambitious scale than at present, the need for a special department of health does not make itself apparent.

The result is that instead of there being a number of administrative departments corresponding to and working closely with appropriate council committees, most administrative matters come directly under the purview of the chief executive officer. Thus, the channel of communication between the council and its executive staff is effectively the chief executive officer for business of all kinds. The management function is a responsibility from which he cannot escape, since chief officers in charge of departments have not yet emerged as part of local authority organization in the rural areas of Tanganyika. The post of chief executive officer is an important one. Like that of treasurer, the fortunes of a local authority may well depend upon who occupies it.

Rural Development: Technical Assistance from Central Government

The dependence of rural local authorities upon the administrative support and assistance of the central government is an essential feature of the local government system at the present time. It is the prop which buttresses the entire edifice and without which the activities of many councils would surely grind to a halt. It is this factor, i.e. the physical presence of central government personnel, perhaps more than any other, which lends cohesion, direction and impetus to the working arrangements under which local councils operate. Under present conditions, officers of the central government stand in much the same relationship to a local council as chief officers who, in England, are employees of the council itself. The essential differences are that they have no continuous executive responsibility for local authority work nor are they subject to direction by a local council. But they are expected to attend meetings of council committees, to give advice and guidance whenever called upon to do so, to participate actively in the execution of development

projects, and to undertake supervisory duties in relation to services provided by local authorities. The role of the district education officer, the district medical officer, the community development officer, the district agricultural and veterinary officers, the district engineer, and (not least) that of the administrative officer of the Regional Administration is to contribute the vital element of trained manpower which most local councils are themselves unable to provide.

Government policy, both before and after independence, recognized the need for such an arrangement. The process was carried a stage further in 1963 by increasing the degree of participation by government officials in the planning and execution of local development projects. In that year a directive was issued[18] by the Ministry of Local Government, which reorganized the machinery for local development planning. Hitherto, there had existed at the base of the system village development committees formed in 1962 for two main purposes: first to draw up plans for the development of village areas and, secondly, to mobilize whatever resources were available locally to implement those plans. At district level, a committee of the central government (the district development committee) functioned for the purpose of co-ordinating village plans. It prepared lists of suitable projects which might qualify for material assistance from funds held by the Ministry of Community Development. The lists were then submitted to the regional development committee (a central government committee) for final approval. The regional and district committees had as their chairmen the political commissioners of the Regional Administration[19]. Committee membership was drawn largely from local departmental heads of central government. Local authorities had virtually no representation on them, though it was usual for the chief executive officer of a local council to attend meetings of the district development committee. On the other hand, the village development committees were informal committees of the local authority and were almost completely deficient in representation from central government. The situation was anomalous in that development planning at village level by-passed the committee system at local council headquarters and did not form part of the local government process.

The effect of the 1963 re-organization was to transfer the locus of the district development committee from the Regional Administration to the local council. In other words, it was no longer a central government committee: instead, it was given the status of a functional committee of the local council. If one anomaly was thereby removed, others were created. The area commissioner, though not a member of the local council, retained his place as chairman of the committee. Likewise, the local heads of government departments continued to be members. Although provision was made for all members of the council's finance committee to be members of the newly constituted committee, government officials necessarily continued to form a large proportion of its membership. The legal provision which requires not less than two thirds of committee membership to be made up of elected members of the council[20] was either overlooked or quietly ignored. The

[18] Local Government Circular No. 20 of 1963.

[19] Appointed to replace provincial and district commissioners in early 1962. See footnote 9.

[20] Section 30(4) of the Local Government Ordinance.

importance of this reform lay in the fact that it provided for participation by the local council in matters which were its intimate concern and that it shifted the main responsibility for development planning at district level from central to local government.

At the same time, there was a move in the direction of still closer co-operation between local councils and the departments of central government. The new arrangements for development planning sought to formalize and strengthen the relationships existing between the two institutions. At the same time, other committees of the local council were authorised to appoint departmental officers of government as members by co-option, whereas hitherto they had attended meetings of committees by invitation only. The practical effect of this measure was to extend voting rights to these officers and thereby to provide for a larger element of central government participation in local authority decision-making. While the vote of a single officer would, in most committees, be insufficient to prevent ill-considered decisions being made, the voice of central government was made particularly strong in the development committee whose membership, uniquely, included all departmental technical officers stationed in a district.

Divisional Administration: The Subordinate Committees

The physical environment within which rural councils operate plays a large part in shaping their destinies and accounts for wide variations in the standards which they are capable of attaining in the provision of services. To comprehend the nature and extent of these differences, one has only to compare the land and people of Kilimanjaro District, a rich coffee-growing enclave, with the human and physical resources of Tabora District, a dry and sparsely populated area occupying a large part of western Tanganyika. Climate and soil conditions combine to produce, on the fertile slopes of Kilimanjaro, a vigorous and relatively prosperous community, enjoying a standard of local services superior to anything which the Tabora District Council is able to provide from the meagre resources at its disposal. The example given is an extreme one, but it illustrates the point. In the matter of resources available to them, the rural authorities of Tanganyika reveal wide differences, the extent of which can be ascertained from the grading process carried out by the Local Government Service Commission for purposes of fixing a scale of remuneration for senior employees.[21]

Administration of extensive rural areas can only be done satisfactorily through some process of delegation. In colonial times the areas under the control of local councils were divided for administrative purposes into chiefdoms, sub-chiefdoms or divisions and these, in their turn, into village areas or parishes. Subordinate councils existed at the chiefdom or divisional level, usually on a formal basis, in that meetings were often attended by administrative officers of the Provincial Administration and records were kept of deliberations. With the exception of Rungwe District where they exercised much wider control over local government, these councils were purely advisory though,

[21] The factors taken into consideration (vide LGSC Circular No. 1 of 1962) for grading purposes were (a) annual recurrent revenue, (b) population, and (c) the existence in rural council areas of urban centres previously under the control of Township Authorities.

occasionally in one or two of the more advanced districts (such as Kilimanjaro), a small degree of financial responsibility was devolved upon them for limited purposes. Where councils existed at village level they usually did so informally and did not form an integral part of the local government system. The chiefs and sub-chiefs, together with the village headmen, were largely responsible for the collection of local taxes and other items of revenue. They would often be given other executive duties, such as responsibility for road maintenance in their areas and for minor repairs to buildings. Chiefs gazetted under the African Chiefs Ordinance,[22] exercised powers relating to the maintenance of law and order and in many districts they were appointed as court-holders under the Local Courts Ordinace with magisterial powers to judge minor cases in the local courts.[23] A chief had thus an important role in local administration. Though a paid employee of the local council, he combined in his office functions relating to law and order which seemed more appropriate to the sphere of central, rather than that of local government activity.[24] It is hardly surprising, therefore, that chiefs became identified in the public mind with the colonial power and that they were quickly despatched when that power withdrew from the scene.

The removal of chiefs from positions of authority in local government created a vacuum in the administrative divisons over which they had hitherto presided. Their places were filled, without much delay, by a new type of employee known as the divisional executive officer. His functions were essentially the same as those of his predecessor in office, with the exception that judicial powers were not passed on. Appointment of these officers was subject to the approval of the regional commissioner, an essential qualification being political reliability. Though not a court-holder, a divisional executive officer was permitted to exercise much the same powers as a chief used to have in relation to law and order.[25] With the passing of the Magistrates Courts Act[26] of 1963, all local council executive officers automatically became Justices of the Peace.[27] This legislation gave them limited judicial power, in the absence of magistrates, to issue remand warrants, to hear applications for bail, etc. It did not, however, authorise them to try cases. Separation of judicial and executive powers has been an important feature of government policy in the post-independence era. Its application can be seen in the reforms introduced into local government administration, as well as in the reorganization of the Regional Administration of central government.

At the lower administrative levels there was thus an almost complete change of personnel in the more important posts.[28] Functions remained basically as before, with the exception that magisterial work was surrendered

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[22] Repealed by the African Chiefs (Repeal) Act, 1963.

[23] These courts were staffed by the local councils and supervised by administrative officers of the Provincial Administration. The Local Courts Ordinance was repealed by the Magistrates Courts Act, 1963.

[24] His counterpart in Kenya was an employee of the central government.

[25] Under Section 6 of the Local Government (Amendment) Act, 1962, chief executive officers were given the same powers.

[26] Effective on 1st July, 1964.

[27] Under the same act, administrative officers of the Regional Administration may be appointed Justices, but their appointment is not automatic.

[28] A few of the more competent or politically acceptable chiefs were, however, retained as divisional executive officers.

to a new cadre of primary court magistrates.[29] The system of subordinate councils was retained, initially. These were re-styled 'rural divisional committees', their composition was revised, and local authorities were allowed discretion to modify or to retain intact the old administrative divisions, with the proviso that there should not normally be more than five or six divisional committees within their areas of jurisdiction. Membership of these committess and of village sub-committees (formerly known as village or parish councils) and the relationship between them was clearly defined. The sub-committees were to be advisory to the divisional committees on local government matters; they would also perform the functions envisaged for village development committees in relation to self-help schemes. Their membership was to include all persons living in their areas who were members of divisional committees and other members (the total to be fixed by the divisional committee) chosen by informal election or traditional means. Village headmen were made executive officers of the committees, with power to attend but not to vote at meetings. At the same time, provision was made for the setting up of urban divisional committees in those places (now absorbed into the area of jurisdiction of district councils) whose interests had formerly been served by Township Authorities.[30] In effect, the entire system of subordinate representative councils was given new definition and a new pattern of administrative divisions, each with its representative divisional committee, came into existence.[31]

After a year of experiment with the new system, a major modification was made. In September, 1963, the Ministry of Local Government announced the abolition of rural divisional committees.[32] The reasons given were, first, that there had been misunderstandings as to their role in relation to the village development committees and, secondly, that their presence led to delays in the submission of village development plans and, consequently, in the formulation of development plans for the district as a whole. The new divisional boundaries which had been established the previous year were left unaltered; these divisions continued to serve as administrative units under the control of executive officers. The channel of communication for purposes of development planning is therefore now a direct one between village committees on the one hand and the district council on the other.

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[29] From 1949 when Rungwe led the way, it had been the policy of the colonial government to separate the Judiciary from the executive at local level. From a slow beginning the tempo of this reform had quickened as independence approached and after independence the process was rapidly completed.

[30] Constituted under the Townships Ordinance, Cap. 101 of the Laws.

[31] Details of the reorganization are to be found in Local Government circular No. 29 of 1962.

[32] Local Government Circular No. 56 of 1963.

Politicians, Administrators and the Problems of Modernization[1]

by JAMES O'CONNELL

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THIS article is concerned with the problems that face politicians and administrators in the newly independent and developing countries in Africa.

The existing civil services in West Africa date from the colonial era. They antecede the growth of politics in the contemporary sense of democratic secular and individualist competition for the right to rule. Though important political decisions were from time to time made in the metropolitan capitals, most colonial government consisted of rule in the different territories by expatriate civil servants who combined legislative, executive and judicial functions. With independence not only does control of the state shift from foreigners to native-born people but – at least in principle – it shifts from bureaucrats to elected politicians. Yet the new states owe most of the social identity they possess as states to the previous unity of administration. When the small power group of nationalist politicians took over government, it was the professional administrators who maintained the continuity in the public services that underpinned the popular consent to be ruled. And, finally, it is the civil servants who have provided legal and functional continuity in those countries where the first inflow of politicians have lost—sometimes violently – their title to legitimacy.

Politics and administration are concerned with improving social welfare, upholding law and order, and formulating and implementing foreign policy. Carrying out these tasks successfully is not easy in developing countries. Though the governments can draw on the new pride and loyalty that come with self-rule, the legitimacy of the new rulers remains fragile. The schools that have begun to spread and the standards of living that have begun to rise arouse expectations among large sections of the population. But expectations tend to grow faster than the economy can develop. The nationalist movement added a surge of sentiment to the social cohesion that the administration had fostered between the ethnic groups of the colonial quasi-state. But political integration generally remains a problem after independence and tribal rivalry and bitterness can develop sharply in the course of the competitive modernization of communities. Education imparts skills. But the schools are seldom geared to producing skills in the right proportions for the needs of the various sectors of the economy. Formal schooling also, allied with other social forces, sends youths into towns faster than the rudimentary facilities to absorb them can expand. People learn to appreciate the value of money and accept the inducement of wages. Trad-

[1] See J. O'Connell 'The concept of Modernization' *Atlantic quarterly*, LXIV Autumn 1965.

itional relationships breakdown, or are inadequate for the new conditions, and there is a haphazard mixing of individuals and groups in the new sectors of society. Human relations in this mixed and changing society are not predictable as were traditional relationships. One consequence is that individuals seek security through accumulating money, and hence a corrosive and pervasive financial corruption is liable to creep in, to spoil public and personal relationships. Finally, the new countries need, expect and seek foreign aid. But they want to reject the conditions attached to such aid and they dislike the dependence that it brings.

Involved in these phenomena that we have been considering is a certain ambivalence about the past and the present, tradition and the process of modernization. Societies that hurry from the hoe to the computer within a few short years cannot easily reconcile their history with the adaptations that the new situations impose. Tradition decays as the machines break through the arrangement of its social structures and as new values, secular and religious, modify personal and social priorities. Yet only through keeping up continuity with the past can a people retain their identity, maintain their self-respect, and even pass judgement on new techniques and values. Politicians and administrators alike struggle with these new situations. But it would be a mistake to envisage the politicians and the administrators as persons wrestling with conditions external to themselves. These key organizing groups are part and parcel of the changing conditions: they manifest in their own attitudes the ambivalence that marks the uneasy balance of tradition and modernity; they suffer the tensions that the uncertainties of social change create; and they possess little time or opportunity to reflect with detachment on their circumstances.

The Politicians

Politicians are men who compete for power within the state; who deploy it to achieve goals embodying varying degrees of public welfare and private gain; and who nearly always want to retain power indefinitely. Most of the first political leaders of the new states are men who were involved in the anti-colonial nationalist movements. These men who once spent much of their time in agitational politics are now confronted with the delicate handling of independence and the tangled problems of social modernization. In many ways the exigencies they face are almost contradictory. These men have their first taste of power and they have to deal with opponents whom they dislike and distrust. Yet they need to respect the 'rules of the game' (willed limitations on forms of competitiveness) without which they may destroy one another. They have yearned for years to take the place of the colonial rulers. Yet they have to learn to accept a constitutional framework that seems designed to leave them much less powerful than the colonial regime. They love the adulation that surrounds ruling. Yet they need quickly to grasp that a sense of urgency in using power is vastly more important than the prestige of its possession. They were impressed in the past by the apparently ubiquitous and omnicompetent colonial bureaucracy. Yet they soon discover that this bureaucracy stretched thinly through the countryside and was (and remains) short of skills and money. They organize political parties that have little or no access to private funds in the way that parties have in developed countries. Yet the party organizers are judged by standards of

public behaviour taken from the developed countries. The politicians have to be able to identify with, communicate with and draw on the values and support of traditional communities. At the same time they have to be able to detach themselves from communalism, its particularistic ethos and often static conditions, to reach a social identity and goals that are as wide as the entire political community and that depend on a technology and social organization oriented to skills and merit.

Along with these tasks, which, to be undertaken successfully, would seem to demand the endeavours of multi-cultured individuals, goes another set of problems that arise directly out of the circumstances of socio-economic development. Formal schooling arouses expectations which governments must meet to some extent in order to survive. It is easy for a sense of relative deprivation to set in among large sectors of the educated elements in a developing country and for the enthusiasm evoked by rising expectations to turn sour and to be replaced by dangerous frustrations. But if the task of leading the country towards economic growth falls on the political leaders, the latter have also to try to buttress it with employment, spread its benefits over competing communities and reconcile in both justice and expediency the claims of town and country dwellers. And not the least challenge for the leaders is to inspire the mobilizing elements of society with a vision of social achievement. At the same time they have to be able to persuade followers and opponents that they are not guilty of injustice or devoid of ability when the fulfilment of the vision is constantly deferred to the future.

The Civil Servants

The colonial civil servants were mainly concerned with maintaining law and order in the early years of colonization. In the later years they began to devote a growing part of their time and energies to expanding social welfare and to directly promoting economic growth. Their successor-bureaucrats come under the control of politicians who are themselves under popular pressure to improve welfare and who have little sense of the financial cost involved. The bureaucrats find themselves given greatly extended commitments in economic development, education and health, not to mention the new security problems of independence. They themselves often have no more than a few years of administrative experience. They draw heavily on their formal schooling to work out solutions that convention and routine supply readily in other countries. And being heirs of the authoritarian tradition of colonial bureaucracy, they usually resent the overlordship of party politicians and they sometimes disdain, and seldom care to conciliate, the democratic sentiments of the traditional – minded communities.

The senior administrators are usually poorly supported by the intermediate *cadres* since the intermediate skills tend to be the least well provided for in the educational system. Yet the intermediate clerks and technicians are educated enough to appreciate the gulf that separates them from the senior levels and they eye with bitter resentment the status and emoluments of their superiors. Within the senior ranks the first arrived occupy the first places, and their relatively young years leave the later arrivals (sometimes abler and better qualified) little hope of the rapid promotions that the spiralling careers of their predecessors led them to expect for themselves. And for all the formal rules that govern promotions and transfers within the public

service, the civil servants discover, and some exploit the fact, that not only do professional politicians interfere with the service but personal and communal rivalries also play a role within the ranks of the service.

The single most crucial issue that tries bureaucrats is the strain they undergo as they endeavour to reconcile loyalty to their current political masters with the dispassionate integrity and the scientific administrative procedures that safeguard the public interest. The bureaucrats find their work in the public interest made more complicated and their co-operation with the politicians more difficult because the latter who often possess no great amount of formal education distrust those who do. Finally, there is an idealogical trauma that marks the relationship between the politicians and the bureaucrats. The bureaucrats have learned in the context of a dying Western nationalism to idealize their country. But it is very hard to do this when they often despise as ignorant, arbitrary and venal those political representatives who hold the power both to mould and project the national image of the state within and to project it without. Only the best and most dedicated administrators can keep up their morale in the context of poor political leadership.

In their relations with the masses of the people the bureaucrats find within themselves two tendencies that are apt to run in opposite directions. They appreciate the understanding and the intimacy that common traditions and languages give them with the ordinary people whose affairs they administer – an understanding and intimacy that the colonial officials could acquire only with time and labour. Yet only reluctantly do they try to understand traditions other than those of their community of origin and young officers are often less ready to bridge ethnic and educational differences of ethnicity and education than were the colonial officials. Also, sure of the cultural background to which they returned periodically and to which they could eventually withdraw, the colonial officers were willing to endure the human loneliness and cultural isolation of the bush; and most of them preferred service in the provinces to working in the secretariat. But most of the successor-bureaucrats intended in acquiring education to move away from the countryside, and later on in their service the incentives to move away are strengthened by the knowledge that promotions run more smoothly and frequently at the secretariat than out of sight in the field. Not least, the old colonials travelled light, often without wives, and usually without children, so it mattered little enough that amenities and schools were wanting where they lived. Also of importance is the dilemma posed by the relatively high standard of living and remuneration of the senior administrators. They are the key organizational group in modernization because they alone possess the skills that are necessary to the process. They need a standard of living within which those skills can be maintained and deployed. But inevitably it removes them from the simple living conditions and hardships of traditional communities. There is some danger that their superior living conditions may render the administrators less sensitive than they should be to the urgency of bettering the lot of the masses.

One last problem is worth mentioning. The urgency and originality of the social and technical situations that confront the new countries may well demand creative thinking and efforts. Yet their bureaucrats have been

trained to administer and transmit established order rather than to innovate. And even those who would wish to innovate are driven to reflect that resources are too scarce to be gambled with and that developed countries possess much more room in which to experiment than do the underdeveloped.

Conclusion

In resolving issues like promoting creative leadership, fostering a sense of urgency in development, drawing up ordered forms of administration and putting forward the interests of the people generally, the politicians and the administrators meet in a common set of tasks in which there is distinction of gifts, division of powers and variety of skills. The politicians lead and they are ultimately responsible to the people. But they need to be able to stimulate their administrators, evaluate their advice, and act co-operatively with them. The latter work out the technical implications of projects and they execute policies. Political leadership without administrative technical expertise is power in a vacuum. But administration without political leadership is only tidiness in stagnation. Politics and administration must be interwoven in the pursuit of national development. But there is no perfectly ordered model for this relationship and no perfect delineation of responsibilities or functions will fit all the needs and possibilities of development.

Quarterly Notes

GREECE – *Proposal for an inter-ministerial corps of State administrators*
In April 1966 a four-day meeting was held in Athens attended by members from the Greek public administration and by experts from O.E.C.D., to consider the possibility of creating a new category of top-ranking officials. The report prepared by Professor Langrod, the General Secretary, after stressing the need for major reform in the Greek civil service which was suffering from mediocrity incompatible with the requirements of a modern state, contained the following recommendations:

I. *A. Recruitment and Preliminary Training*

(1) The creation of a new corps of top ranking officials to be named 'Inter-ministerial corps of state administrators', responsible for conceptual and directional work. The new corps to be adequately remunerated so as to be able to compete with the private sector.
(2) Public competitive examinations to be held for entry into the Corps.
(3) The examining Board to be broadly based to achieve efficient and objective selection.
(4) Two examinations to be held, one internal and one public so as to ensure a reasonable quota of places in the new corps for members of the existing Greek civil service. Maximum age to be 35 (to be reduced later to 28 for the public exam).
(5) Examination papers to be set with particular care.
(6) Preparatory courses to be organised: serving officials to be granted paid leave so as to attend.
(7) Chairs of Public Administration to be included in establishments of higher education.

B. Transitional Measures

During a transitional period of eight years in which the corps would be recruited, a higher proportion of vacancies to be filled from the ranks of the existing civil service (through the internal exam) and a higher maximum age limit to be permitted.

II. *Vocational and Further Training*

The preliminary training to be supplemented by special vocational training courses of three years duration (one year during transitional period) to be organised. These courses to be full time and to cover the full field of public administration and to include study of a foreign language. Regular further training courses would be needed – one of about six months after 6-8 years service, and also short periodical courses of 1-3 weeks for higher civil servants including Corps members.

III. *Transferability and Secondings*

The principle of two-fold transferability to apply: internal – within each administration and inter-ministerial. It was not considered feasible to extend transferability to the semi-public sector at present. Class promotion to be gained only after two jobs in two administrations had been held.

There would be both regional and central postings. A minimum period of service (three years suggested) before an official's first transfer should be mandatory.

Secondings would be superfluous and limited to two special cases only.

IV. *Pay*

Remuneration should be roughly three times that presently paid to category 'A' civil servants. Trainees to draw two-thirds of the starting salary.

V. *Strength and Careers*

The establishment of the Corps to be decided after analysis of main administrative function of each Ministry. Only a small number of present officials should be included in the Corps (*but see I. B. Ed.*). Detailed recommendations as to the form the selection committee should take were put forward. The Corps to be divided into three grades, with seven steps in the third (recruitment) grade and five in the first and second. Promotion from one step to another to be on seniority only. A limited proportion (10%) of vacant posts in Grades I & II could be filled by direct appointment by government after appropriate consultation.

VI. *Promotion*

An Agency was needed for administering the new Corps and this administering body should include a Council membership of which should be on the same broad lines as the selection committee.

VII. Detailed attention was paid to the system of reporting required which included a 'marks' method.

UNITED STATES – *Third Institute on Management of Development Projects*

The Graduate School of Public and International Affairs at the University of Pittsburgh conducted an Institute on Management of Development Projects from May 2 to July 20, 1966.

The term *Institute* corresponds to 'seminar' or 'short study course' in this country.

The *Institute* held in May/July 1966, was designed for central governmental agencies co-ordinating projects; development banks sponsoring projects; supervisory personnel administering projects; educational institutions training project personnel and advisers of international development organisations.

The fact that this *Institute* was attended by twenty six persons from fourteen different countries bears testimoney to the increasing importance being attached to study in this field of development.

With the importance assumed in world affairs by 'Aid' to developing countries, in all its forms, questions of development administration are being given ever growing attention by recipients and givers of aid alike.

For the most part it is in the aid recipient countries that development is planned and executed and it is mainly upon the nationals of such countries that this process depends. The shortage of trained planners and development administrators in most of the developing countries presents a serious bottleneck, and recognition of this fact is shown by the development of these courses in the United States and related fields of study at the newly estab-

lished Institute of Development Studies at the University of Sussex in this country.

That the May/July 1966, Institute at Pittsburgh was but part of a continuing process of instruction in this field is evidenced by the fact that an even more ambitious and comprehensive Institute on 'Administrative Management for Development' was held from the October 3 1966 to January 27 1967.

A bare catalogue of the scope of the *Institute* would not describe adequately the nature of the instruction given but it is noted that particular attention is being paid to the application of what is taught to conditions prevailing in various countries and to the techniques for the presentation of proposals to external financing agencies.

INTERNATIONAL – *Local Government*

International effort to further the development plans of 'developing countries' is discussed on many platforms but seldom is emphasis placed on the part to be played by local authorities in such plans and the need for outside assistance in building sound local government structures in those countries. Very relevant to this theme is an address delivered by Emil J. Sady, Chief of the Local Government Section, of the United Nations Department of Economic and Social Affairs at the International Union of Local Authorities course on Decentralization for Development which was held at the Hague in June 1966.

Drawing attention to the fact that 'local government, generally speaking, is still operating on the basis of structures and relationships with central governments that were designed in circumstances and to serve functions that differ entirely from those of today', Mr. Sady went on to say that it is up to each Government itself, in accordance with its own constitutional arrangements, to design its own local government system and to improve its operation. He pointed, however, to certain basic agencies and institutions which are necessary for the improvement of local government in every country. These are: a ministry or department to co-ordinate national policy relating to local government; an office to provide personnel services to local authorities; an institution to conduct research and to train local government councillors and staff; an agency to provide loans and related services to local authorities; an association of local authorities; and unions of professional associations of local government employees. He suggested that the test of the adequacy of international co-operation in the development of local government is in the extent to which it is available and used to help governments of developing countries in establishing and strengthening the agencies and institutions indicated above.

Mr. Sady then described the pitifully inadequate endeavours which are being made to provide such assistance and to the seeming reluctance of governments to use the very limited United Nations resources which are available in this field. In this connection he drew attention to the fact that among the international agencies playing a part in this general work of developing sound local government institutions is the Inter-American Development Bank, which besides convening a meeting on Municipal Financing in Latin America, may facilitate the exchange of information and provide other support for institutions in Latin America that provide loans and related services to local authorities.

Mr. Sady referred to the importance of giving wider publicity to developments in local government that are of international interest, and in this connection we welcome the fact that the International Union of Local Authorities started publishing a monthly newsletter in January, 1967.

SIERRA LEONE & BOTSWANA – *Training for the Civil Service*

The training requirements of the public services in different parts of Africa have, as might be expected, led to the development of a variety of Institutions all concerned with civil service training but differing widely in regard to the forms of training offered since these are necessarily related to the rapidly changing needs of individual countries. The need to promote the maximum interchange of ideas and information between training institutions in different parts of Africa was emphasised at the Conference of Directors of Schools and Institutes of Administration sponsored by the International Institute of Administrative Sciences at Zaria in July 1966. As a small contribution towards this objective the editor hopes to be able to publish a series of articles in the Journal dealing with the activities of training institutions in various regions of Africa. The editor hopes that the present note will stimulate those responsible for training in other territories to send him material describing the scope and nature of their activities for publication in the Journal.

In the note which follows two training institutions at different stages of development are described. The Civil Service Training Centre in Freetown, Sierra Leone, is by now a well established organization which has built up valuable experience in the training field. The Botswana Training Centre on the other hand is just setting out along much the same path of development but is addressing itself, during the preliminary phase, to meeting the immediate practical training needs of the country.

Sierra Leone

The Civil Service Training College in Freetown was set up in 1962 based on advice given by a U.N. Adviser, and the recommendations of a conference held at Fourah Bay which set out in detail the particular training requirements for the administrative, professional, sub-professional, executive and clerical classes. The first courses for serving executive officers were started in 1962 followed by fourteen week courses for administrative officers. The College now has three main Departments:—Administrative and Clerical; Management; and Accounting. The Administrative and Clerical Department offers eight different courses for the clerical, executive and administrative grades together with courses for new entrants to the professional class and confidential secretaries. On the Management side there are courses for supervisors, personnel officers, and a Management Development course. The Accounting Department runs courses for finance clerks, an Executive Finance course, and a Senior Accounts course which is held concurrently with the fourteen week course for administrative officers.

The training for administrative officers replaces that originally undertaken in Britain under the Devonshire courses. Great emphasis is placed on the practical aspects of all subjects dealt with which cover a wide range from civil service procedure and regulations, to motor maintenance and protocol. Assistance with many subjects is given by visiting lecturers, including some from the University College of Fourah Bay with which the Training College

has maintained close co-operation throughout. The same emphasis on the practical aspect applies to all the other courses at the college though these are mostly of shorter duration.

The Management courses have a mixed selection of participants with representatives from local corporations and private industry as well as from the public sector. The private sector also assists by providing practical experience in the form of visits to mines and other industrial operations. The subjects studied on these courses include items such as work study, human relations, and accidents in industry.

Up to December 1965 the college had produced 30 administrative officers. Another ten have since qualified. During the same period the college has run some 80 courses and dealt with over 860 trainees. Three senior posts at the college; the Vice Principal, Senior Technical Lecturer and Senior Accounting Training Officer, have been provided under British Technical Assistance which has also financed training in Britian for individual staff members of the college, and has donated a variety of equipment and books to the college. Apart from this the college is financed entirely by the Sierra Leone government. The original premises in which the college was sited were soon outgrown, and in 1964 the college moved to a new site. This site is being fully utilised and any further development of the college will probably entail additional new buildings.

Botswana

In 1962 a Trade School with workshops, and a small amount of residential accommodation for students, was constructed in Gaberones. The Trade School was set up to provide courses in Building, Carpentry or Motor Mechanics, for primary school leavers. In 1964 the Trade School was renamed the Training Centre and embarked on a much wider range of training.

In the first place the newly named Botswana Training Centre absorbed the Public Works Department Training Organization and became responsible for the in-service training of the staff of other government departments which employ skilled or semi-skilled artisans. At the same time a beginning was made on establishing training courses designed to cover different types of clerical work, and to meet the needs of individual government departments.

The B.T.C. has also co-operated with the Agricultural Department in training tractor drivers and teaching farmers how to maintain tractors. Farmers have also been trained to maintain bore holes, to build small dams, and in different methods of grain storage.

For the civil service there are in-service courses in typing, registry work and duplication. There have also been typing courses for school leavers in the hope that those who are successful will enter the civil service after completion of their training. Last year, and again this year, the B.T.C. ran an induction course for newly recruited officers to government service. In January/February 1966 an Administration course to meet the needs of the Ministry of Local Government, the District Administration and the District Councils, was mounted with assistance from members of the University of Lesotho, Botswana and Swaziland. Courses have also been mounted in audio-typing, management for officers at the executive level, and the drafting of minutes and government papers.

The Department of Co-operative Development runs courses at the B.T.C. from time to time for members and officers of Co-operative Society committees, and also makes use of the B.T.C. for staff conferences. Vacation courses for teachers run by the Extension Department of the University, evening classes in Setswana for expatriate government officers, and the provision of advisers for those taking correspondence courses, make up the other training activities at this young but growing institution.

NEW GUINEA AND PAPUA – *Local Government*

The first local authority Council in the Papua Region was set up in 1950; now over 80 per cent. of the population live in an area administered by a Council. Nine new Councils covering some 60,000 people were created during 1965/66, and a wide range of functions are undertaken by these bodies.

One local authority, Dega, operates a bulk store in an otherwise shopless area, and has also opened a bank agency. Another Council, Rao-Breri, operates a nine knot diesel-engined flat bottomed barge for bringing in supplies and marketing produce out – the barge which may well prove a valuable prototype, is used to navigate 120 miles of the Ramu river.

A NEW JOURNAL ON DEVELOPMENT

We welcome a new Contemporary, the *I.T.D.G. Bulletin* costing 2s. 6d. and produced by the Intermediate Technology Development Group which is described as 'a private, non-profit organization formed by people from industry and the professions to assist developing countries'.

DEVELOPMENT ADMINISTRATION – *Statements worth noting*

'To summarize, the administrative system of government in almost all less developed countries with mixed economies are outmoded. Countries which have recently become independent generally have administrative machines which are suitable enough for carrying out police, judicial and revenue collecting functions of government, but are not effective in performing functions required in dynamically developing societies. Countries which have a long tradition of independence also have administrative machines which cannot meet the demands of accelerated development. But, in addition, most of these countries do not even have efficient administrations for carrying out the usual government services, collecting taxes and preserving law and order.

'Planners should go beyond announcing administrative shortcomings which impede development and recommending their correction. They must consider it a part of their task to help establish an administrative system which can carry out development plans. It might be more practicable, however, if planners set a more limited goal than comprehensive reform carried out in a short time. Thus, a wise course could be to select a few important projects and programmes and concentrate administrative improvements around them, in the hope that these 'nuclei' would later become springboards for wider reform. For other projects and programmes, it would be well to recognize that poor administration results in higher costs and longer periods of execution. As a rule of thumb, a realistic approach is to increase original cost and time of completion estimates submitted by

sponsors of projects and programmes by quantitative factors which take account of the effects of administrative inadequacies. Until administrative improvements are clearly foreseeable, planners must prepare plans which take account of administrative capacity. This means, among other things, that complex forms of planning must be avoided when a country's administration is not ready for them.

(Albert Waterston in Development Planning, Lessons of Experience, Oxford University Press, 1966.)

'We are very much aware that some countries in Asia and Africa are developing new systems of rural local government that are integrated into national development programmes; and in a number of countries, administration of major cities has been overhauled. But, generally speaking, the local government system in almost all countries in Latin America and the Caribbean, and in many Asian, African and Middle Eastern countries is in need of basic reform if it is to contribute significantly to development: the local government statute in many cases is of ancient vintage and needs to be modernized; the size of local government units and their relationships with one another and with higher levels of government often obstruct the administration of development functions; the taxing powers and other financial resources of local units are inadequate; in all but a handful of countries the personnel system is dominated by politcs and personal favouritism and is unable to attract qualified staff; councillors and staff are usually inexperienced in the administration of local functions needed for development; and, except in a few countries, training, if available at all, is not on a sufficiently large scale to make an impact.'

'International and regional institutions and resources to assist those responsible for improvement of local government in developing countries are rudimentary and grossly inadequate by any realistic standard. Their development can serve to strengthen needed national agencies and institutions in developing countries. They can also accelerate the professionalization of local government services (that is, the improvement in the quality of local government personnel), on which the contribution of local government to economic and social progress in these countries depends'.

'A country's success in economic and social planning depends both on the effectiveness of its administration and on the people's participation in, and support for, development programmes. In many developing countries the administrative system cannot carry out the policies of a Government which has to be the prime mover of economic and social development. Some countries still do not have facilities for training administrative personnel, or efficient methods of operation, or conditions of service sufficiently good to retain technical staff, or forms of local government and administration that are conducive to local development.'

'The Public Administration Branch (of the Department of Economic & Social Affairs of the U.N.) was keenly aware that deficiencies in public administration and administrative science were largely to blame for the gaps between plans and performance, and it had recently re-examined its work programme with a view to focussing its limited resources more sharply on the administrative aspects of planning. A Section for Development Administration has been established to carry out research on administrative

machinery for development planning and plan implementation, administrative problems of public enterprises, and related matters'.

(Extracts from Public Administration Newsletter (U.N.), June 1966).

'This is an area which we can neglect only at great peril, for unless there is sound administration there is no firm basis for economic and social development'.

(H.E. Mr. James Roosevelt speaking on Public Administration.)

'If everything else is done and public administration fails, all fails'.

(Mr. Clarence L. Blau speaking on the importance of Public Administration to Development.)

'Let us not be misled into thinking that planning is all there is to development. Far from it. A country can develop *without* planning, and it can plan *without* development. Plans are no more than fanciful dreams unless we have the organization and the will to carry them out. The Ministry of Economic Planning and Development has a Division specially charged with seeing that the Plan is carried out on time. But that organization depends for its success on the willing co-operation of every citizen of this country'.

(James Nyamweya, Minister of State, the President's Office, Kenya, in his opening address to a development seminar, April 1966.)

'Local government in Africa is likely to acquire real significance for the people only when it is the means whereby they are allowed to exercise sufficient responsibility in the social and economic fields. This implies that they must also have the will. The necessary human ingredients of development are vision at the higher levels of government and hope among the people. Vision is expressed not in vague exhortations to people to better themselves but in a concrete plan. Hope is created only when the various communities recognize that the plan contains at least some of their own projects; it is expressed in the will to achieve them; it is sustained by continuity and a sense of direction, and this can only be supplied by a permanent institution, in short, some sort of local authority. For all its merits community development is not by itself sufficient, for by definition its task is not to look too far ahead but to strike when the iron is hot.'

(Extract from E.C.A. Seminar Report, Zaria 1964.)

Book Reviews

Annual Survey of Commonwealth Law, 1965, BRITISH INSTITUTE OF INTERNATIONAL COMPARATIVE LAW, *Butterworths*, pp. 755; £8 8s. od.

This is a notable book. It is the first of a series of annual volumes surveying legal developments – statute and case law – in all the countries of the British Commonwealth. With such a weight of material the editors and contributors have performed a remarkable feat of selection, classification and compression. The narrative is clear, informative and readable. There are twenty chapters, each under a separate subject-heading and dealing with a separate branch of the law: each contributed by a distinguished lawyer who is an expert in his subject. For instance, under the heading Constitutional Law, the contributor surveys constitutional developments first in the Commonwealth generally, then in the United Kingdom and, in turn, in every Commonwealth country; under the heading Contract are reviewed all the important cases on contract received during the year from each territory of the Commonwealth and the relevant statutory provisions. Similar individual surveys are undertaken for each Commonwealth country in the realms of Criminal Law, Tort, Real Property, Trusts, Commercial Law, Taxation, Procedure, Courts, Evidence, Family Law, Maritime Law and the rest. Thus, for the first time, practitioners and others who wish to discover how far the law of other Commonwealth territories can elucidate their problems, have, spread before them, a systematic survey of new law throughout all those territories. Hitherto such knowledge, if it it was available at all, could only be obtained by searching through a great bulk of unclassified material. Now a vast body of new and useful law is made readily available.

For reasons of space, this review can only mention a few of the more salient features of this volume of the survey, concentrating upon those developments which have a general, as well as a purely legal interest.

In the realm of Constitutional Law, in the United Kingdom the most controversial measure of the Parliamentary session was the War Damage Act, 1965, which reversed with retroactive effect a decision of the House of Lords holding that subjects were entitled at common law to compensation from the Crown for the deliberate, though lawful, destruction of their property under the royal preogative in time of war. In 1942, as the Japanese army was approaching Rangoon, the Burma Oil Company's installations were destroyed on the instructions of the G.O.C. Burma in pursuance of the United Kingdom Government's 'scorched earth' policy. The Burma Oil Company, who, after protracted litigation[1], had established their right to compensation in the highest court in the United Kingdom were (pursuant to a prior warning) deprived of the fruits of their victory by retroactive legislation instituted by the Government, (in effect) the defeated party. As the learned author of this section states: 'It is to be hoped that this Act will not be regarded as a precedent of any kind. Attempts to justify it by reference to other precedents have been unconvincing.'

[1] *Burmah Oil Co. v Lord Advocate*, 1963. S.C. 410.

A remarkable application of the doctrine of legal necessity to solve a constitutional predicament comes from Cyprus. The 1960 constitution required the concurrence of Greek and Turkish Cypriots for many important purposes. By 1964 the island had become divided into two armed camps. Turkish Cypriot members of the Council had ceased to participate in the machinery of government; Turkish Cypriot representatives no longer sat in the House of Representatives and Turkish judges did not attend the courts. In July, 1964, the House of Repesentatives, sitting without its Turkish Cypriot members, passed a law establishing a new Supreme Court. This law was not passed in the manner prescribed by the Constitution and was in conflict with it. The jurisdiction and authority of the new Supreme Court were challenged by a person accused of serious offences, on the ground that the court had no valid existence. The court held unanimously that it was validly constituted and had jurisdiction to entertain the case. The grounds for so holding were (in short) that the Constitution had to be read subject to the fundamental legal doctrine of necessity: measures not sanctioned by the law of the Constitution could properly be taken if they were necessary to avert grave public evil and were proportionate to the evil to be averted: in Cyprus inter-communal co-operation, on which the Constitution was based, had foundered and the Constitution had become unworkable; the steps taken to rectify the situation had been reasonable.[2]

In the chapter on Fundamental Rights and Civil Liberties the learned contributor states that in the field of civil liberties the year 1964-5 was notable for the frequent extension of police powers to arrest without warrant and of powers to detain for limited periods without trial. Constitutional lawyers are always unhappy when such powers of interference with personal freedom are instituted or invoked. The contributor, however, gives it as his opinion that it is almost inevitable that these developments should occur in the young emerging nations of the Commonwealth.

During the year covered by the Survey there were inportant changes in the criminal law and practice in England. The House of Lords decided that, since the Homicide Act, 1957, there is no longer any justification for the practice under which courts for other offences are not joined with courts for murder in the same indictment.[3] The right of the prosecution to have the last word in cases in which a Law Officer appears was abolished.[4] The Criminal Appeal Act, 1964 conferred on the Court of Criminal Appeal a limited power to order a new trial confined to cases in which the appeal is allowed on the grounds of fresh evidence. It is remarkable that English legislators are still so hesitant about granting to the Court of Criminal Appeal an unfettered right to order a new trial, particularly when experience in other parts of the Commonwealth where such a right exists has shown it to be useful and not open to the objections usually cited.

Throughout the year reviewed there were many cases upon the burden and standard of proof in criminal cases. As the learned contributor of the chapter on criminal law states, 'no proposition of law is more clearly established throughout the Commonwealth than that, subject to exceptions which

[2] Murtafa Ibrahim's Case (1965) 3 I.S.C. 25.
[3] *Connelly v D.P.P.* (1964) A.C. 1254.
[4] Criminal Procedure (Right of Reply Act, 1964).

are neither numerous nor important, it is the duty of the prosecution to prove the guilt of the accused beyond reasonable doubt. It is surprising, therefore to find, year after year, mis-directions on the burden and standard of proof which have to be corrected by appellate tribunals. The difficulty is mainly concerned with the seeming inability of the Courts to agree upon an acceptable definition of 'reasonable doubt.' Attempts at defining the meaning of that expression throughout the Commonwealth during the year under review have not been happy. They have only succeeded (in the opinion of the writer) in clouding what was previously fairly well understood with far more than a reasonable doubt.

A point of interest to doctors – physicians and surgeons – has been decided in New Zealand. A patient who had been advised to have an operation asked the specialist what degree of risk ws involved. He received a reply couched in general, reassuring terms. In fact, there was a considerable risk, which, unhappily, eventuated and the patient lost his leg. The Court of Appeal held the surgeon liable in negligence for his careless statement. A doctor is not obliged to indicate every risk so as to render the patient depressed and unco-operative, but the patient is entitled to be told in general the risks normally incident to a course of treatment if he makes inquiry.[5]

Cases on Contract throughout the Commonwealth during the year under review were, as might be expected, very numerous. Many are concerned with new applications of old principles. None seems to be of outstanding general interest or novelty.

There have been various interesting cases on the power of the Crown or State to withhold documents on the ground of state privilege. Five Commonwealth decisions all assert, not withstanding the doctrine laid down in *Duncan* v. *Cammel Laird & Co. Ltd.*,[6] that the Courts have jurisdiction to test claims of privilege by the government; there is no sweeping 'class' privilege and the Courts have the power and the duty to satisfy themselves that the privilege claimed is reasonable, if necessary by inspecting the document.[7]

In the chapter on Real Property, among other developments, important statutory changes in England are chronicled in the law relating to perpetuities and accumulations. In the chapter on Trusts attention is particularly directed to the discussions on the nature of equitable interests in the opinions of Lord Upjohn and Lord Wilberforce in National Provincial Bank v. Ainsworth.[8] An interesting case from Ireland discusses the questions whether equitable rights sound *in rem* or *in personam* and whether shares are property or merely choses in action.[9]

Perhaps the most important Patent case during the year was *Pfizer Corporation* v. *Minister of Health*[10] in which the House of Lords, by a bare majority, held that the importation from abroad of cut-price tetracycline for the National Health Service was a use of the invention 'for the purposes of the Crown' within section 46 of the Patents Act, 1949 and, accordingly, not an infringement of the plaintiff's patent.

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[5] *Smith* v *Auckland Hospital Board* (1965) N.Z. L.R. 191.
[6] (1942) A.C. 624.
[7] *re Grosvenor Hotel* (No. 2) (1964) 3 W.L.R. 992.
[8] (1965) A.C. 1165.
[9] *re Cuff Knox* (1963) I.R. 263.
[10] (1965) A.C. 512.

There have been numerous cases on Taxation throughout the Commonwealth, many of which decide interesting and novel points. But their facts are too detailed for individual notice here. They are ably summarised in the Annual Survey and that survey may well provide an answer from another territory to tax problems arising here.

The Annual Survey also contains informative chapters on Family Law, Labour Law & Trade Unions, Civil Procedure and Evidence, Conflict of Laws and Maritime Law.

The volume is attractively printed and arranged. The Tables of cases and statutes and the Territorial Index are full and accurate. The Subject Index might, with advantage, be expanded in future volumes.

KENNETH O'CONNOR.

African Agricultural Production Development Policy in Kenya 1952–1965, by HANS RUTHENBERG. *Springer-Verlag, Berlin-Heidelberg-New York*; pp. 164; DM 27.

The opening paragraph of the introduction to this publication states 'The total agricultural production (of Kenya) increased at an annual rate of 4.5 per cent., from £75 million in 1954 to £117 million in 1964. It should be noted that both sections of the agricultural economy, the large farms as well as the smallholders, contributed almost equally to the increase. The standards of farming in Kenya have reached a level far beyond those achieved in the other East African countries'.

This statement of fact should make us sit up and take notice. It immediately makes us ask the question 'how has this been achieved'? and if it has been achieved through an exceptional application of capital and effort, 'has this been worthwhile'? It is these questions, among others, that Mr. Ruthenberg's report endeavours to answer.

The particular value of this document, for those outside Kenya – especially those in other developing countries with comparable conditions – lies, however, in the lessons to be learnt in the various fields of agricultural development. Mr. Ruthenberg's otherwise admirable compilation of facts and the conclusions to be drawn from them could perhaps be faulted on the score that he ignores the significance of the policies and developments of the years immediately prior to 'The Swynnerton Plan'.

It was in those years that the foundations were laid for successful development in the basic soil conservation measures adopted, the consolidation of land holdings, the pioneer work in the development of 'mixed farming' smallholdings made viable through the peasant production of high priced cash crops such as coffee and tea and the years of research and experimentation undertaken by the Natural Resources departments. It is true that in the immediate post-war years solutions to the problem of the overcrowding of man and of livestock in many of the existing Native Land Units was sought in opening up new settlement areas, and it is equally true that this policy achieved little more than the reproduction of conditions existing in some of the poorer sections of the Native Land Units. But this process in itself yielded much valuable information regarding the costs and difficulties encountered in starting new agricultural settlements in areas of marginal agricultural potential. If no other lesson was learnt than that an equal amount of capital and effort applied to already settled areas of high agricul-

tural potential is likely to yield a far greater return than when applied to new settlement on marginal land, then the heart-breaking efforts of the African Land Utilisation and Settlement Board were not in vain.

The opportunity for applying the lessons learnt in these formative years arrived with the financial resources for the implementation of the Swynnerton plan and, paradoxically enough, out of the conditions of the Mau Mau rebellion itself. That Kenya was able to move forward to the degree of agricultural development achieved in the last decade was without doubt due to five main reasons:

(*a*) The development of an agricultural minded administration and an administrative minded agricultural service working in concert.

(*b*) A considerable concentration of advisory and supervisory staff.

(*c*) The fact that much of the tough work of basic soil-conservation had already been achieved in the days of colonial rule.

(*d*) The consolidation of land holdings.

(*e*) The fact that it was possible to integrate high priced cash crops and grade cattle into small mixed-farming holdings and thus provide an adequate incentive to good husbandry.

In most of the developing countries which are mainly dependent on agriculture, finance and technical personnel from internal resources are in short supply, the sources of free external financial aid and technical assistance are small and the ability of the economy to support large external loans or to hire expensive expertise and qualified staff is strictly limited. It is therefore of the utmost importance to such countries that in any field of agricultural development the increased production should be measured strictly against the costs of achieving such increase. Much of the work compiled by Mr. Ruthenburg is directed towards this comparison of costs and increased production.

Anyone attempting such a task in the field of peasant agriculture is obliged to make assumptions and some arbitrary apportionments of costs which may be open to criticism, but no one could deny that this most excellent and exhaustive compilation of facts has produced a record of great value.

Similarly there may be disagreement with some of the conclusions drawn by Mr. Ruthenberg from his facts, but here again the conclusions are logically drawn and carefully explained. They add greatly to the value of the publication.

Because of its topical interest, attention is likely to be focused on that part of the document which deals with the planned resettlement of Africans on land which had been settled and developed by large-scale European farmers. As Mr. Ruthenberg says 'the resettlement schemes are inspired by socio-political rather than economic motives . . . and even the criteria for choosing of the settlement areas has been political rather than agricultural or economic'. Nevertheless 'the available information indicates that settlement will increase the total production per acre'. The costs, including purchase of land and administrative costs, have been high and production has fallen far short of the targets set taking the scheme as a whole. It is, however, early days for a true assessment to be made and social and political benefits have undoubtedly to be weighed in the balance.

This most excellent compilation and analysis of material, painstakingly

undertaken from a great number of sources, makes a most welcome contribution to our knowledge and understanding of the complex problems of agrarian development in the developing countries of Africa.

JOHN INGHAM.

The Law of Testate and Intestate Succession in Ghana, by Mr. JUSTICE N. A. OLLENNU. *London; Sweet & Maxwell,* 1966 (Law in Africa Series 16). 332 pp. £4 4s. (hardback), £2 5s. (paperback).

This is the first comprehensive work on the law of succession in Ghana by one of Ghana's (and West Africa's) most distinguished jurists. Although there have been a number of treatises dealing with the land law in Ghana which dealt with the matter in an incidental way, we have had to wait till now for a full-length study of this vital branch of the law, which affects the law of the family and social relations, the law of marriage, and the law of property.

The evolution of the law of succession in Ghana has been a subject of governmental concern there for some time. The author of the present work presided over an official commission which investigated the law of succession (the report of which has not yet been made public); and this experience, which enabled Mr. Justice Ollennu to make personal contact with authorities on the customary laws in different parts of the country, has clearly enriched his work. Particularly noteworthy is the ample and careful use which the author has made of reported (and even more valuable, unreported) Ghanaian decisions and of anthropological and other writings on the peoples of Ghana.

After a comprehensive, but pertinent, account of the Ghana judicial and legal system (which requires some amendment, naturally, since the events of February, 1966), succession in Ghana under the "common law" and under the various systems of customary law is analysed in detail. It is the author's contention that the customary laws of Ghana can, for this purpose, be sub-divided into two main classes or types, the patrilineal and the matrilineal. This is one of the assumptions whose validity could perhaps be re-examined on another occasion. Among the other questions of moment which have inspired lively controversy in the courts and legal treatises are:—Who may succeed to a woman's property? Is it the immediate family, or the wider lineage, of deceased in whom the whole of the interest in his estate vests? Upon what principles is one to determine which system of customary succession law to apply to a deceased who dies in an area where a system of law different from his own personal customary prevails? Is the law of intestate succession in Accra basically patrilineal or matrilineal?

In each instance the differing views, and the materials upon which they are based, are fully and fairly presented here. The author's conclusions are carefully argued, and with most of them the present reviewer would warmly and gratefully concur. On the matter of intestate succession in Accra, however, where Ollennu argues that the courts have been right, and some of their critics wrong, one must remain unrepentant: after mentioning, quite correctly, that one must not discount the Akan influence in Accra (or parts of it) upon the Ga customary law, the author concludes that succession there is basically matrilineal, but is forced to add: (p. 196)—

"Unfortunately many people in Accra are, to this day, under a misapprehension about the Accra custom of succession. They think that the

custom of succession in Accra is the same as in any other Ga-Adangbe State or town." [i.e. patrilineal—A.N.A.]

And this misapprehension is (or was) also shared by some members of native and local courts in Accra. One can only ask in these circumstances, which is to prevail—local opinion or the findings of the judges—in the making of customary law?

Succession in Islamic law as applied in Ghana, succession under the Marriage Ordinance, and the law governing administration of estates, are other matters which are fully dealt with. Altogether this work will prove of great interest and value to all students of the subject, and should help to simplify the task of the courts and practitioners in Ghana who have to pick their way through this very difficult and confusing branch of the law.

A. N. ALLOTT.

The British and their Successors, by RICHARD SYMONDS; *Faber & Faber, London,* 1966; pp. 286; 36s.

The key to the study of the development of the government services in the newly independent mid-twentieth century nations might be found in the opening paragraph of the chapter in Richard Symonds' book, introducing us to West Africa, and the replacement of the creoles and consolidation of British rule there. In the thirty years from about 1870, the senior administrative staffs changed from almost entirely black to become almost entirely white.

What happened in West Africa might surprise the present generation of Europeans. But to all those at the ruled end of empire, whether it be Asians or Africans, the surprise will be far less, especially to those who are old enough to have seen the circumstances of empire in its various manifestations.

The author does not deal sufficiently with the effects of the slave trade upon the structure of the West African societies, their whole civilisation, traditions and culture. Yet, I believe it is true to say that the slave trade which was inflicted upon the West African communities, with its long-sustained, impersonal savagery, destroyed almost to extinction any foundations upon which an independent people could subsist, let alone administer their affairs. It was upon whatever survived from the days of the slave trade, either directly or through their return in the persons of West Indians of African or mixed descent, that the African element in the administration could be found. But perhaps the translation from African to European administrators would have come about in any case.

For, despite the book's title, the fact that the British had any successors at all, in the manning of the administrative services in the newly independent countries, is perhaps largely due to the efforts and struggles of the 'natives' themselves against the fairly determined effort to perpetuate British rule. Through the entire course of British rule and almost to the end, in all the 'coloured' empire there was little or no conception on the part of the colonial governments or their senior white administrators, of an end to empire with truly independent sovereign governments to succeed them. Inevitably, they had little thought for their own successors.

India, the largest of the British colonies, escaped the fate of the Africans largely through sheer numbers, the apparatus of a comparatively modern state pervading the whole Indian sub-continent before the British came there,

and the comparatively continuous tradition and record of a developing culture undisturbed by anything like the destructive phenomenon of the slave trade.

Apart from local variations of a minor sort, and with a very few exceptions, there was a basic unity in British policy, and in the attitudes, philosophies, and practices of the British administrators throughout the empire other than the white commonwealth. There is ample evidence of this in Symonds' narrative.

To reverse a statement by a French Director of Education quoted by the author, it may be fairly said that the British administrators everywhere were afraid, or averse to learning too much rather than too little of the people they were set to rule. The influence of Macaulay in the case of India was profound, and lasting. His complete contempt for eastern culture was, as the author rightly says, a major factor in creating a system of examinations and of education which produced a class of interpreters and no more. The stories of discouragement, denigration, even downright persecution of the early Indian administrators make bleak reading. It is to the author's credit in his search for truth that he has narrated samples of these; they provide type samples of what happened, fairly continuously, and in different degrees on a wide scale, in one of the most fortunately placed of all the colonies.

Those charged with the burden of governing and administering the new nations, politicians and administrators alike, are indeed the successors of the British, but with a fundamental phase change. It is time that the myth of the Indian Civil Service is shown to be what it is, a myth. The Indian Civil Servant was indeed by and large competent, incorruptible, devoted to his work, and a devoted servant of the Crown; he had at his ready aid the might of empire, and the discipline of the great institutions of the English constitutional and legal system. But there was an abysmal gulf between him and the people of the land, and he was utterly ignorant of anything Indian. He had little to leave, for his successors to adopt. What has proved to be of critical value is the strength of the institutions upon which British rule was based in Britain: suffrage, the parliamentary system, the rule of law and the safeguards represented by Magna Carta and the Bill of Rights, an administrative structure for the conduct of public business, and so on. These are real strengths, and not mere props; and they provide powerful disciplines for ordered government.

There are interesting, and worth-while comparisons by the author, between the different situations in the case of the French, the Belgian, the Dutch, and the American empires. But the text here is too brief altogether; perhaps Symonds might pursue these studies in comparison in greater depth, for this would be an exercise of practical value to the new nations everywhere.

The book is a welcome addition to the serious literature on an important subject, and provides a useful source of information. Administrators in newly independent countries are not sufficiently informed about parallel experiences in other parts of the world. This book will help to fill this need. It may, however, disappoint those who are looking in administration literature for studies in greater depth; such for instance as the treatment of cultural impact and interaction upon institutional modes of administration, before and after independence; the influence of mid-twentieth century

advances in science, technology, and communications upon administrative norms; the exciting possibility of trans-nationally transferable administrative cadres.

S. S. KHERA.

Other Books Received

The Organization and Practice of Local Government, by GEOFFREY DRAIN. *Heinemann, London*; pp. 248 including Index; 35s. net.

This book gives a comprehensive picture of the various facets of Local Government in Britain. For those living in Britain an understanding of the structure and functions of local authorities, whose actions affect their daily lives at every turn, is essential. Many aspects of local government are under close re-examination and a wider public knowledge of the subject, such as can be gained from reading Mr. Drain's book, is all to the good.

For those concerned with local government overseas there is obviously much of value to be found in the British experience and practice, but those who are looking in this volume for basic principles and guidlines to be followed in the development of their own local institutions may be disappointed. Local Government came to be what it is in Britain today not through the application of abstract theory but through a great variety of particular circumstances: the existence of particular historical institutions, the special conditions imposed by wartime necessities, the particular form which educational development has taken, the intervention of party politics, to mention but a few.

Local Government is of its very nature rooted in local environments and its form and its function in other countries must vary according to local needs, financial resources, capacities and political ideologies. This is not to say, however, that there is nothing to be learnt from the experience of others and those anglophone countries whose ingress into the field of local government was British inspired will find much of value and interest in this book by an author well qualified to write authoritatively on his subject.

The Politics of the Third World, by J. D. B. MILLER. *Oxford University Press*, 1966; pp. 126; 12s. 6d.

The author of this essay, written at the invitation of the Royal Institute of International Affairs, is Professor of International Relations at the Australian National University.

The modern concept of a *Third World* merely identified as embracing those countries which are non-European, non-communist and poor, may not command attention in international politics. If, however, these countries hold common interests and have a preparedness to act in furtherance of a united purpose then their political significance becomes apparent.

The general conclusion in this essay suggests that there is no necessary harmony of views in the *Third World* except on issues of symbolic importance such as colonialism and the need for economic development. It is suggested rather that the experience of international politics being gained by nations in the *Third World* is to urge them towards more specific and circumspect definitions of what is best for their individual selves.

African Research Monographs, *U.N.E.S.C.O.: International Institute for Educational Planning.*

No. 1: EDUCATIONAL PLANNING AND DEVELOPMENT IN UGANDA, by J. D. Chesswas; pp. 97 with appendices; 10s.

No. 2: THE PLANNING OF PRIMARY EDUCATION IN NORTHERN NIGERIA, by J. F. Thornley; pp. 41 with appendices; 8s.

No. 4: THE COSTING AND FINANCING OF EDUCATIONAL DEVELOPMENT IN TANZANIA, by J. B. Knight; pp. 80; 10s.

No. 6: INTEGRATION OF EDUCATIONAL AND ECONOMIC PLANNING IN TANZANIA, by George Skorov; pp. 78 with appendices and bibliography; 10s.

No. 7: THE LEGAL FRAMEWORK OF EDUCATIONAL PLANNING AND ADMINISTRATION IN EAST AFRICA, by J. Roger Carter; pp. 32; 8s.

No. 9: MANPOWER, EMPLOYMENT AND EDUCATION IN THE RURAL ECONOMY OF TANZANIA, by Guy Hunter; pp. 40; 8s.

The international Institute for educational planning was set up in Paris as a semi-autonomous part of U.N.E.S.C.O. and has now produced this new series of African Research monographs. They contain a wealth of up-to-date information about educational planning, costing and development in East Africa and Northern Nigeria. They should prove invaluable not only to all who are concerned with the field of education in developing countries but also, to the governments and particularly to the Ministries of Education in the countries being described, which, in all likelihood, possess no other account so clearly and concisely setting out what they are seeking to attain and the financial problems involved.

Of particular interest to readers of this Journal will be Mr. Guy Hunter's monograph in which he emphasises that only a modernised rural economy can affect the great bulk of the potential labour force in an agrarian developing country. He offers wise suggestions as to how to increase the extension services so vital if increased agricultural productivity is to be achieved.

Local Taxation in Tanzania, by EUGENE LEE. *Oxford University Press* for Institute of Public Administration, Dar es Salaam; pp. 66; 5s.

Eugene Lee makes a detailed examination of local taxes imposed on the Tanganyika mainland of Tanzania. He criticises the lack of consistency as between local authorities and considers that central government should set forth guidelines and issue directions for a graduated personal tax to be imposed in respect of which the minimum tax might differ from area to area but the graduated rate schedule should be the same. He is critical of produce cesses and of the lack of uniformity in present taxes on property.

Since this small book was written Urban local authorities in Tanganyika have encountered great difficulty over the collection of site rates as a result of Government acquisition of undeveloped and other sites and this makes even more urgent the need to establish a graduated local rate suggested here. Although this type of Tax has had a chequered history in rural Tanganyika, it must surely be faced if authorities are to keep themselves viable. Nonetheless in many rural areas where a cash crop such as coffee, cotton or tobacco is a major source of income, a cess is a painless method of obtaining vital revenue, has *not* deterred agricultural production and is responsible, in fact, for many local authorities avoiding bankruptcy with the failure to obtain full rate collections since Independence. Likewise in those Districts where cattle are in effect a main crop, a cattle tax has proved not only of equal importance but a reasonably equitable means of ensuring that the haves pay more in tax than the have nots, besides encouraging culling and so checking over-stocking. Both these forms of revenue enabled a number of Tanganyika local authorities to undertake considerable local development programmes throughout the nineteen fifties and since.

The Anatomy of Uhuru, by N. S. CAREY JONES. *Manchester University Press,* Manchester; pp. 231, including Index; 32s. 6d.

The author was Permanent Secretary to the Ministry of Lands and Settlement in Kenya, and in charge of the organization for buying European farms and resettling them with Africans.

This book, after describing briefly the economic and social background to the Kenya scene, goes on to trace the threads leading to 'Uhuru' and to examine and seek to answer the basic question: what does the change which has been brought about mean for "the ordinary African, in his millions and in his hunger, in his attempt to live?"

British Rule in Kenya 1895–1912, by G. H. MUNGEAM. *The Clarendon Press,* Oxford, 1966; pp. 329 with bibliography and Index; 55s.

Mr. Mungeam provides a useful introduction to the history of Kenya in the first formative years of British Administration. The powerful role of the early Governors is made very clear and the story behind the Masai moves is of particular interest.

A Sourcebook of the Criminal Law of Africa, by ROBERT S. SEIDMAN. *Sweet & Maxwell, London; African Universities Press, Lagos;* pp. 647; £3 15s. U.K., Paperback for sale in Africa only, £1 18s. 6d.

Mr. Seidman has produced a very useful sourcebook for students of Criminal Law in anglo-phone Africa; valuable comparative casebook references are provided; of less value are the random references to varied customary laws – the reference to Tanganyika on p.341, for example, is already outdated by the Magistrate's Courts Act of 1963 and reference to the small Sonjo tribe (even were the law still relevant) would seem too unimportant for a work intended as a standard text book covering the length and breadth of a great continent; it is also surprising to find the countries of East Africa lumped with those of Central Africa and indexed under 'East Africa and the Gambia'.!

The Law of Evidence in Nigeria, by T. AKINOLA AGUDA. *Sweet & Maxwell, Lagos; African Universities Press,* 1966; pp. 403 with appendices and Index; £4 10s. (paperback for sale in Africa only, £2 5s.)

This is a comprehensive text-book based on the Nigerian Evidence Act and covering the law both in criminal and civil cases; it should prove invaluable to Nigerian law students. A large number of cases are cited in the footnotes and this should make the book useful, also, to the legal practitioner: its substance as the author points out, is little affected by the temporary measures taken by the military regime in recent months.

Colombia – A General Survey, by W. O. GALBRAITH, *Oxford University Press:* pp. 177, with Index; 30s. net.

For the outside world the importance of Colombia lies perhaps in its strategic position. The political instability of the country revealed in the chapter on 'Violencia and Political Events to 1965' is of particular interest. But it is in the underlying causes of discontent namely the poverty of the bulk of the population practicing an agriculture destructive of the land, that the concern of the outside world should be focused and towards which the aid of developed countries should be directed.

With the increased attention being given by Britain to the 'developing countries' of Latin America the publication of this new edition of Mr. Galbraith's book on Colombia is both timely and valuable.

Introduction to Civics – Volumes 1 & 2, by PETER WALES. *Pergamon Press, Oxford;* pps. Vol 1, 74; Vol. 2, 98; including Index. Vol. 1 10s. 6d.; Vol. 2 12s. 6d.

These two small volumes were written primarily to give school leavers in Britain a grounding in the main features of the adult world. Many thousands of adults who go their way through life with very little knowledge of the public institutions and basic British policies which constitute the framework for their existence, will, however, find much to enlighten them in Mr. Wales' admirably concise work.

The Policy and Administration of the Dutch in Java, by CLIVE DAY with an introduction by JOHN BASTION. *Oxford University Press;* pp. 434; 52s.

The reprinting of this standard work which has withstood the test of time, will be welcomed by all students of Dutch colonial history. This history written 'with all the nerve of a young mans first book' contains many pointers to subsequent events. The perspicacity of the author is evidenced by the following quotation from his chapter on The Native Organisation: 'As the Dutch approach the natives, they find it harder and harder to reach them . . . In the passive resistance that the people make to the people from outside, the Dutch will always find a stay to their ambitions, and in a sense Java will always be governed, as it has been in the past, by the Javanese.'

The Population of Borneo – A Study of the Peoples of Sarawak, Sabah and Brunei, by L. W. JONES. *The Athlone Press of the University of London*; pp. 213; 42s.

Demographic studies and projections into the future of the data analysed provide the framework for development policies and plans. The work of an authority on the people of a region about which all too little has been published, is welcomed as a valuable contribution to our knowledge.

Medical Education Bulletin. (Not for sale): Distributed by the Regional Office for Europe of the World Health Organization, Copenhagen.

The first two issues of this new Bulletin were distributed in 1966. It is proposed to issue the Bulletin half-yearly.

It is said in a foreword to the first issue that the WHO Regional Office for Europe hopes to create in the Bulletin a catalytic forum for an exchange of views on the whole field of medical education.

We welcome the Bulletin which, judging by the high standard of the contributions to the first two issues, will surely be of great value to all concerned with medical education.

Management Education in West Germany, by JOHN ADLER and PAUL CHENINGTON; pp. 48; 10s.

Management Education in the Netherlands, by G. F. EVANS-VAUGHAN; pp. 17; 5s.

Both these useful small booklets have been published by the Administrative Staff College at Henley.

Succession to High Office. Ed JACK GOODY. Cambridge Paper in Social Anthropology. *Cambridge University Press*, pp. 181 with Bibliography; 35s.

Problems of succession assume a growing complexity and importance for communities emerging from tribalism into the social and economic environment of a modern state. The studies in this book add to our knowledge of traditional systems of succession.

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COMMONWEALTH AND COLONIAL LAW

Sir Kenneth Roberts-Wray, G.C.M.G., Q.C., M.A. (Oxon.)

of the Middle Temple, Barrister-at-Law; Lately Legal Adviser to the Commonwealth Relations Office and the Colonial Office.

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